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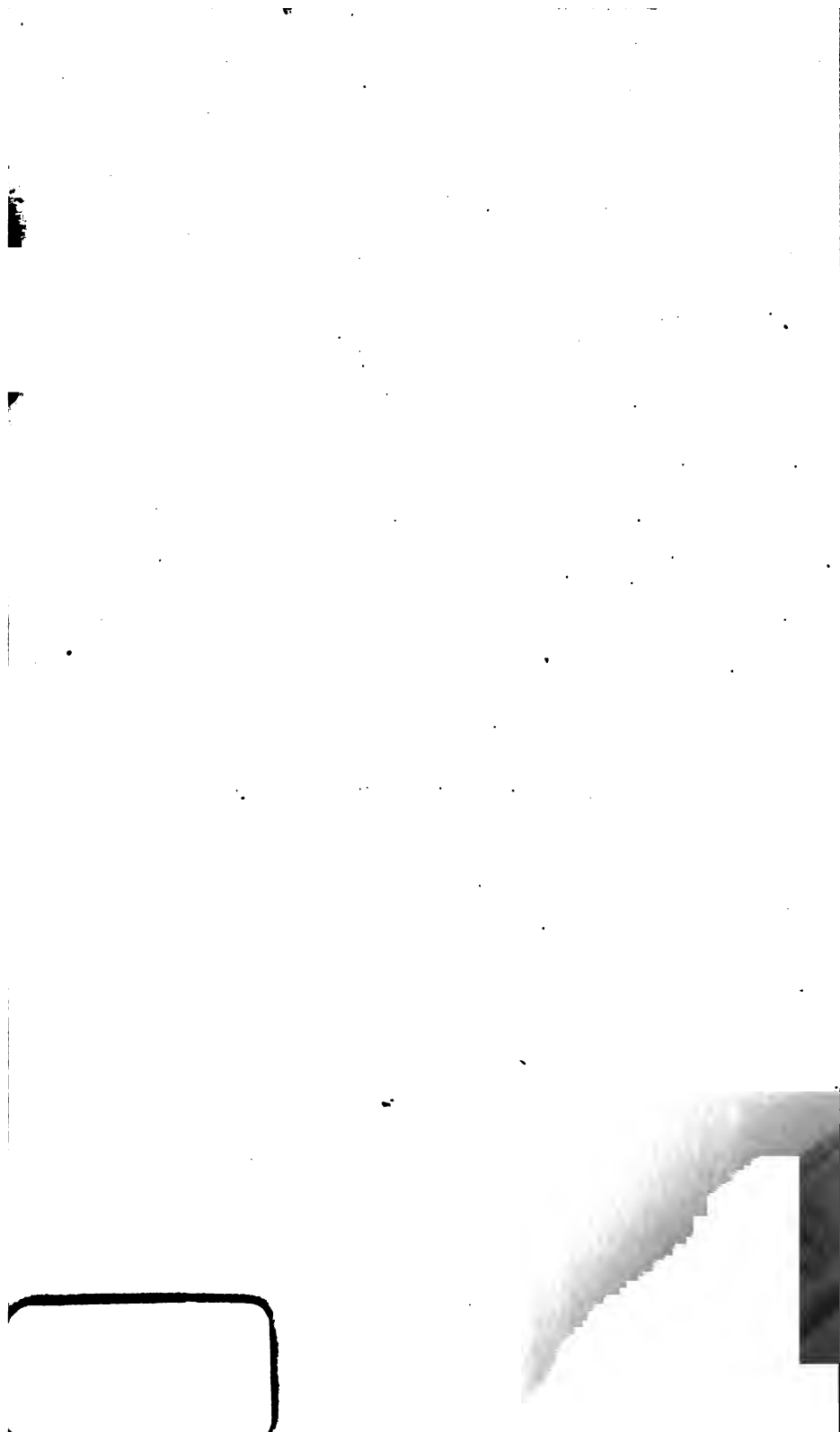
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MARCUS AURELIUS.

Wir tragen die Lasten unserer Väter, wie wir ihr Gutes empfangen
haben, und so leben die Menschen in der That in der ganzen Vergangen-
heit und Zukunft, und nirgend weniger als in der Gegenwart.

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NOVALIS

2

HISTORY OF ENGLAND

DURING THE EARLY AND

MIDDLE AGES.

BY CHARLES H. PEARSON, M. A.

FELLOW OF ORIEL COLLEGE, OXFORD.

VOL. I.



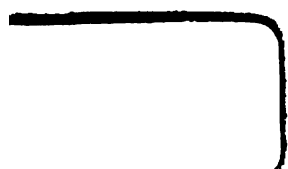
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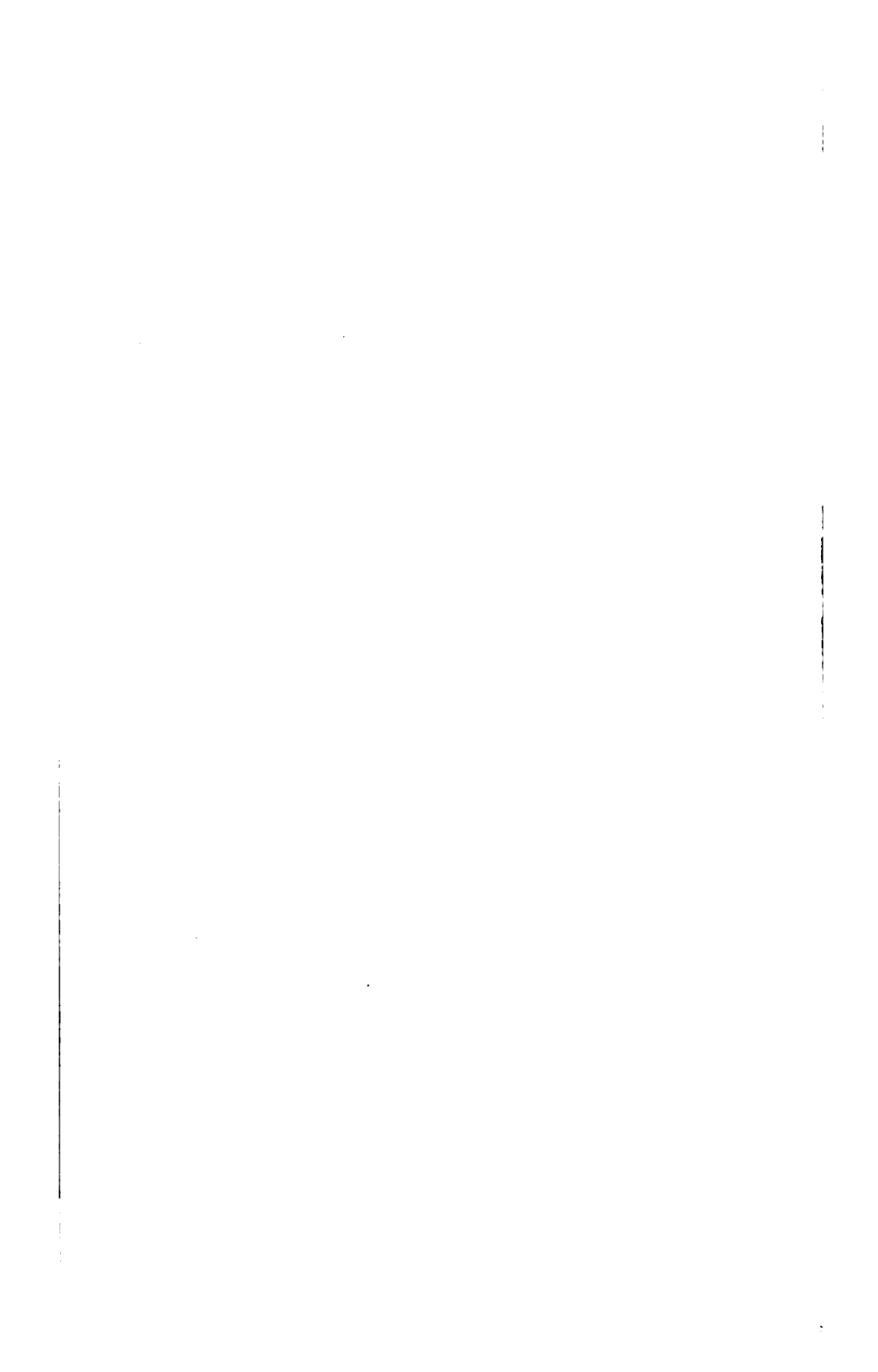
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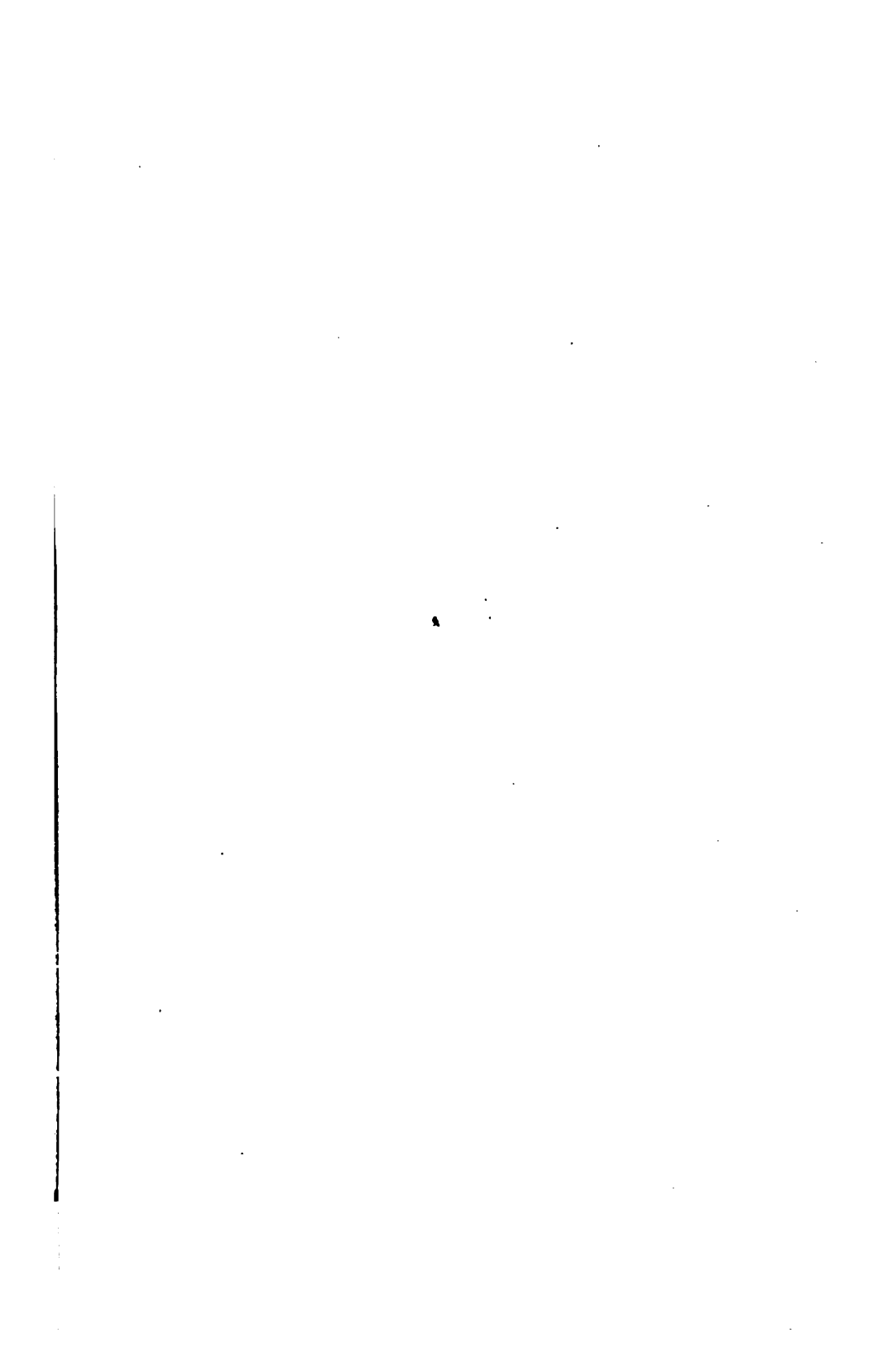
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ERRATA AND ADDITIONS.

- Page 3, line 17, *instead of "fight" read "flight."*
 Page 6, note 4, line 4, and page 48, note 1, line 1, *instead of "Neglected Facts" read "Neglected Fact."*
 Page 7, note 2, line 2, *instead of "but which" read "but part of which."*
 Page 23, note 2, line 15, *instead of "the bank" read "the battle."*
 Page 46, line 15, *insert a comma after "increased."*
 Page 56, line 7, Caesar's statement that the fir ("abies") was unknown in England seems doubtful, as a submerged fir forest has lately been found in excavations in the Isle of Dogs.
 Page 65, note 1, line 4, *instead of "24 n" read "24m."*
 Page 81, line 9, *instead of "clergymen" read "clergyman."*
 Page 85, line 27, *instead of "te" read "the."*
 Page 86, line 1, *instead of "seems" read "seem."*
 Page 101, the note mark (2) should come in line 28 after "counties" *instead of* in line 23 after "Leicestershire."
 Page 184, note 1, line 9, *insert* "A story told by Dudo (Duchesne, pp. 99, 100) seems to prove that a Dane could catch the sense of the old Saxon and Lotharingian dialect when spoken, but that a Saxon could not speak Danish unless he learned it." I am indebted for this reference to Mr. Freeman's *Norman Conquest*, p. 265, note 1.
 Page 132, line 4, *instead of "Ethelwulf" read "Ethelbald."*
 Page 160, note 1, line 6, *instead of "1.1." read "c.c."*
 Page 210, line 2, *instead of "the coronation" read "Ethelred's coronation."*
 Page 280, note 2, *add* "compare a story in Reginald of Durham (c. 100), 'Præpositus itaque comitis pro desponsabilibus filius illius aliquod donativum extorturus violentiâ habere insiluit.'" in one or more instances as "Moors," but Sir H. Ellis seems to prefer the translation "cart-horses" (Morgan, *England under the Normans*, p. 69; Ellis, *Introduction to Domesday*, vol. II. p. 445). But the stock is not enumerated on other estates in Gloucestershire; and I have not met the word "afrus" in the sense of a horse in any English writer prior to Hoveden.
 Page 292, *add to* note 4, "Gregory of Ely, under Henry I., speaks of vines as flourishing near Ely." Hardy's *Descriptive Catalogue*, vol. I. part I. p. 281.
 Page 311, note 3, line 4, after page 119 *insert* "ecclesia . . . in qua de more nunc satis solito et cognito pueri quondam vocabant studia." Reg. Dancelm. c. 73.
 Page 321, *add to* note 1 "Wendover, vol. IV. p. 225."
 Page 330, line 16, *instead of "withcraft" read "witchcraft."*
 Page 341, note 3, line 1, *instead of "Airy" read "Airy."*
 Page 354, line 14, *instead of "four" read "five."*
 Page 357, line 2, *instead of "in" read "on."*
 Page 360, line 14, *delete* "it."
 Page 367, lines 9, 10, *instead of* "Had the Danes cared for anything but plunder," *read* "Had the Danes been capable of a great policy."
 Page 378, line 6, *insert* a comma after "these."
 Page 378, line 23, *instead of "multiplying" read "multiplying."*
 Page 386, line 25, *instead of "58,000" read "55,000."*
 Page 406, line 19, *instead of "Roblin" read "Robelin."*
 Page 411, lines 21, 22, *instead of* "which was a bloody political crime" *read* "was a bloody political crime, which."
 Page 463, line 5, *instead of "Therighteousness" read "The righteousness."*
 Page 482, note 3, line 6, *insert* a comma after "London."
 Page 500, note 1, line 17, *instead of "whole" read "whale."*
 Page 578, note 2, *instead of "lib. I." read "lib. II."*
 Page 602, line 18, *instead of "Fleta" read "the author of Fleta."*
 Page 604, note 2, line 3, *delete* the full stop after "Brito."
 Page 632, line 9, *delete* "QUESTION OF INDIVIDUAL LIBERTY," and *insert* "RELATION OF THE MIDDLE AGES TO ANCIENT AND MODERN TIMES."
 Page 642, note 3, line 3, *instead of* "Martin-skins," *read* "Marten-skins."
 Page 651, line 5 (after *Stræt*), *insert*—
 Cestell. Castellum. Castle.
 Foss. Fossa. A ditch or its embankment.
 Page 650, line 6, *insert* a semi-colon *instead of* a comma after "negotiations."
 Page 661, line 38, *instead of* "from Norfolk" *read* "for Norfolk."
 Page 679, line 4, *instead of* "vice-comes." T. R. E., *read* "vice comes, T. R. E."

THE HISTORY OF ENGLAND DURING THE EARLY AND MIDDLE AGES.

CHAPTER I.

THE RACES OF BRITAIN.

EARLIEST INHABITANTS OF BRITAIN. KELTIC IMMIGRATION. GAEL AND KYMBRY. GAULS AND BELGÆ. TRACES OF EARLY GERMANIC SETTLEMENTS ON THE EAST COAST. INTERNAL GOVERNMENT. EARLY CIVILIZATION. NATIVE GODS AND SUPERSTITIONS.

THERE has been a time when Britain was well nigh covered with forests, and was without human inhabitants. The elk, the bison, and the wild horse roamed in droves over the land; the beaver built in the rivers and fens; herds of elephants pastured in the Oxford woods; the bear and wolf, even the tiger and hyæna, lurked in the caves of Devonshire or infested the Yorkshire wolds;¹ and the whale gamboled in the broad waters of the Forth.² The land was less than it now is; whole tracts of Lincolnshire and Cambridge-shire were a sea-bay or a lake; Kent and Norfolk were fringed with islands; and the Thames watered a stagnant

¹ Lubbock's *Pre-historic Man*, p. 242. Prof. Phillips, *Oxford Essays*, 1855, p. 198. Phillips's *Geology of Yorkshire*, p. 69. Owen's *British Fossil Mammals*, pp. 16, 25, 29, 162. How many of these species

were co-existent with a human population is of course another question. *Crania Britannica*, vol. i. p. 166.

² Wilson's *Pre-historic Annals of Scotland*, p. 33.

fen below the spot where London now stands.¹ Gradually, men pressed by want, or driven by war, or perhaps only sea-tost, settled on the island. It is likely that they came from all quarters, from Denmark and France, even from Spain, for a canoe, found seventeen feet below the bed of the Clyde, and hewn in the rudest fashion out of an oak tree, was fitted with a plug of cork, which can scarcely have grown in any more northern climate.² But the people were older colonists in Europe than the Kelts and Germans, who afterwards dispossessed them, and whose home in these centuries may still have been east of the Volga. The short shallow skulls which are even now disinterred in old barrows seem to indicate a Mongolian race; a people like the tribes of Central Tartary, and no doubt roaming, like them, with their flocks and herds over fields which they wanted skill and energy to break up. Some gradual advance in civilization they did attain to. Beginning with heavy bones for hammers, and sharp bones for knives, they gradually came to manufacture stone instruments and to work in horn;³ they harpooned the whale, and fought, on more than equal terms, with the wild beasts of the forest. But, before they had attained higher progress, they were surprised by invaders, stronger men with better arms, who slew them or drove them into the hills. Popular legend in England, as in every country of Europe, commemorates a race of dwarfs, a simple and kindly people, armed with stone-tipped arrows, acquainted with hidden treasures, and mostly keeping aloof from the haunts of common men.⁴ These are probably the last of the dispos-

¹ See Preface to Maps.

² Wilson's *Pre-historic Annals*, pp. 36, 37.

³ Boucher de Perthes' *Antiquités*

Celtiques, pp. 450, 451.

⁴ Campbell's *Popular Tales of the Highlands*, vol. ii. pp. 100-110.

sessed shepherds, whom the sons of their conquerors had learned to regard without hostility, and yet as other than themselves. †

As the Kelts were the vanguard of the Indo-Germanic race, and occupied Gaul and Spain in the earliest historical times, the new colonists of Britain were almost certainly members of the Keltic family. With that curious vanity which induces a people to regard antiquity of tenure as the highest distinction, the Welsh declare in their native history that their ancestors sailed from the land of summer (Deffrobani), where Constantinople is, across the sea of clouds (the German Ocean) to the Isle of Honey (Britain), and found it only occupied by the bear, the wolf, and the humped ox or urus.¹ The legend seems at first sight to commemorate the line of journey which the Kimmerii of Herodotus may have taken in their flight before Scythian enemies; but the resemblances of names are delusive, and the tradition can only be traced to a late century, when the vain-glorious clans of West England were anxious to establish a connection with the distant and splendid Byzantine empire. We know now that the name "Kymry" only means a federation of people.² We are sure that the Kymric or Welsh tribes were never more than one among several peoples in Britain; and as they did not penetrate into the mountains of the northern principality till the fifth century after Christ,³ it is probable that the kindred Erse or Gaelic tribes,

¹ Triads, quoted by Lappenberg, *Eng. Gesch.*, Band i. s. 7. The humped ox would more properly be the aurochs or bison; but the urus, the original of the wild cattle of Chillingham, called inaccurately the white Scottish Bison (Hodgson's

Northumberland, p. 217), is the more numerous and more recent species.

² Zeuss, *Gramm. Celt.*, vol. i. p. 226.

³ Vestiges of the Gael in Gwynedd. By the Rev. B. Jones, pp. 30-34.

whom they dispossessed, were more anciently settled in the country. Other facts point to the same conclusion. The Erse or Gaelic language, as it still exists in Ireland and the Scotch Highlands, has earlier and ruder grammatical forms than the Welsh, as if the Gael had been the first to wander forth from the common home in Asia.¹ The ancient Cornish tongue, which prevailed in the south-western counties, is intermediate between the Welsh and Erse, as if conquest or immigration had joined the two cognate races;² and the circumstance that the kings in historical times were connected with the ruling families of Wales seems to designate the Kymry as the intruders. Yet it cannot be assumed as certain that the Gael, even if they preceded the Kymry, had yet had time to spread over all the British isles. They may only have peopled Ireland and the West of England, where there are still traces of them, while the east may have been separately colonised from other parts of the continent. In the same way we can only point with any certainty to two districts in which the Welsh proper were settled anciently, South Wales and the province west of Leeds, between the Mersey and the Tyne, the ancient Kymry-land, or Cumberland. This position on the western coast lends some probability to the conjecture of Tacitus³ that they came originally from Spain, though the "curled hair" and "swart features" to which he appealed are insufficient evidence, and their very existence is now matter of dispute. It is curious that the Gael of Ireland were subdued, like their kins-

¹ Zeuss, *Gramm. Celt.*, vol. i. p. 12.

² Garnett, *Philological Transactions*, vol. i. no. 9. In the case of the Armorican language, which stands in a somewhat similar relation to

Welsh, we have evidence which may be called historical of Kymric or Cornish exiles settling among a kindred but different people.

³ Taciti *Agricola*, cap. ix.

men in Britain, by emigrants from Spain. In this latter case, however, the conquerors were absorbed into the native population.

Only a great pressure, perhaps from Carthaginian or Roman arms, will explain the migration of a whole people across so troubled a sea as the Bay of Biscay. But the eastern and southern shores of England lie dangerously open to attack, and Europe, for centuries before Cæsar's time, swarmed with tribes whom famine, or pressure from without, or mere ambition perpetually impelled upon their neighbours. Adventurers from Gaul probably led the way into England; and the names Brigantes and Parisi, in Durham and east Yorkshire, Cenomanni in East Anglia, and Atrebates in Berkshire, belong equally to the continental districts of Bregenz, Paris, Maine, and Arras.¹ There is some reason, from local names and language, to connect these Gaulish tribes with the Kymric rather than with the Erse variety of the Kelts.² Perhaps they had struck out separate paths of conquests some centuries earlier, and now met again in a common home and battle-field in the far west. They seem to have regarded one another as kindred, and yet distinct; there was no firm union among them, and no inveterate enmity. At times some hero or statesman made the authority of his clan paramount, and east or west predominated; but the tribes never lost the feeling of local independence. The influence of a common faith was a more effectual bond among themselves and with the continent. Mona (Anglesey) was the sanctuary of all Britain; and Britain itself

¹ The evidence of names, however, cannot be pressed, and the general fact of colonization from Gaul rests on other evidence, tradition, a common

religion, language, and civilization, not to mention natural probabilities.

² Pritchard's *Physical History of Man*, vol. iii. p. 135.

was regarded as a holy island in Gaul, so that students crossed the Channel to receive instruction. This connection even outlasted the time when the southern coasts had been wrested from its first inhabitants by the Belgæ, who included a race of Britanni among their continental tribes.¹ The resemblance of name is probably not delusive. The Belgæ were of the same Keltic family as the Kymry and the Gauls. But coming later from the continent they brought with them its latest civilization, and as settlers, perhaps for centuries, in the lowlands between the Somme and the Scheldt, they had acquired the instinct of throwing up dykes and earthworks. The actual occupants of Hampshire, Sussex, and Kent, were subdued or driven out, and the great fortified fosse, Grim's Dyke, which encloses Salisbury and Silchester, was at once the rampart and the march of the new nationality.² Divitiacus, chief of the Suessones (Soissons), was reported to have been king of Britain a few years before Cæsar crossed the Channel.³ He may have claimed the title in an access of barbarous ostentation; but his people had not crossed the limit of the Thames when the Roman invasion suspended intestine war. At that time the most powerful chief of Britain raised his forces, and had his capital in the district now covered by the more eastern of the midland counties.

There is some question whether Frisian or Saxon tribes were not settled on the eastern coasts of Britain before the landing of Cæsar.⁴ This theory rests chiefly on the supposed Germanic names of two tribes, the

¹ Pliny, *Hist. Nat.*, lib. iv. c. 17.

² On the Belgic Ditches. Dr. Guest. *Archæological Journal*, no. xxx. pp. 143-157.

³ Cæsar, *De Bello Gall.*, lib. ii. c. 4.

⁴ Kemble's *Saxons in England*, vol. i. pp. 8-14. Merivale's *Romans under the Empire*, vol. vi. p. 29. Coote's *Neglected Facts in English History*, pp. 142-160.

Coritavi¹ and the Catieuchlani; on a remark of Tacitus that the Caledonians were large-limbed and red-haired like the Germans; on the title "Comes Litoris Saxonici," given to the Roman officer who governed from the littoral from the Wash to the Adur; and on the fact that the Saxons in the fifth century seem to have found a kindred people already established in East Anglia, since no conquest of that district is on record. But tribe-names are at best weak proof, and in the instances quoted we do not know whether they were recognized in the language of the people who bore them, or were sobriquets affixed by their neighbours. The inference from physique which applies to a different people in a district north of the Tweed is nothing more than the guess of a foreign historian who had never visited the country.² The third and fourth arguments are good as far as they go, but do not prove more than that Saxons were settled in Britain under the Roman dominion. Now we know that Marcus Aurelius, at the close of the Marcomannic war, transplanted 5500 Iazyges into Britain, while Probus, a little later, brought in Burgundians.³ It is natural to suppose that other colonies of this kind were planted, and that settlements expressly designed to displace and sever hostile populations would be formed on as large a scale as the central power could

¹ In the *Mabinogi of Lludd and Llewelyn*, the Coranians, who are probably the Coritavi (sometimes written Coritani), are mentioned as a foreign race in Britain, and as the enemies of Lludd, whose legendary pedigree makes him brother of Cassibelaun. *Guest's Mabinogion*, vol. iii. The seventh Triad brings them from Germany. The position of the district from which they spread, Lin-

colnshire, would favour the theory of a common origin.

² In the *Notitia Imperii*, the date of which is uncertain, but which probably belongs to the fourth century. M. B., xxiv.

³ Dio Cassius, lib. 71. They were part of a contingent supplied as a pledge of fidelity. Zosimi *Hist. Novæ*, lib. i. c. 68.

carry out. Apart from imperial policy, it is possible, and perhaps probable, that immigration from the continent into districts desolated by rebellion, like that of the Iceni under Boadicea, would be at least permitted by Roman præfects. Probably, therefore, with the one exception of the Coritavi—who, however, are thought to have stretched inland from Lincolnshire into Leicestershire—we must place the first great influx of Saxon colonists between the death of Agricola [A. D. 84] and the insurrection of Carausius [A. D. 287]. The success of the Belgo-German usurper, whose only reliable soldiers were foreign auxiliaries, is best explained by the supposition that a part of his subjects were his countrymen by descent. On the other hand, two main arguments seem to prove that the country was first inhabited by Kelts, and that these formed the mass of the population down to the time of Agricola. The early names of rivers and towns in the east, so far as they have been preserved, are uniformly Keltic, or at least not Germanic, and are often duplicates of names in the west of England. *Dur*, *ebur*, *maes*, *ruhin*, *cam*, *caer*, and *dun*, are scattered over Northumbria, Kent, and Anglia,¹ in almost as rich profusion as over Cumberland and the “*Wealh-cynn*” counties of the south-west that were mainly British even in the ninth century. Again, Roman and Greek authors generally class the Britons with the Gauls,² and nowhere mention them as a Germanic people. It is true that the Romans were no philologists; but

¹ For instance, we find the etymon “*dur*,” “water,” in *Dorchester*, and in the *Adur*; “*ebur*,” a river name or a “confluence,” in *Eburacum*, or *York*; “*maes*,” “field,” in *Mayfield*, Kent; “*cam*,” “crooked,”

in the two rivers of Gloucestershire and Cambridgeshire; “*ruhin*,” “a rock,” in *Ramsgate*, &c.

² Appian, *De Bell. Civ.*, c. xi. s. 17. Strabo, p. 271. Tacitus, *Agricola*, c. ii. with the exception noted above.

they could hardly be mistaken in supposing that their interpreters employed only one language in conversing with Gauls and Britons. It is more likely that dialects would be mistaken for independent languages, as the Welsh in the ninth century described their kinsmen in Brittany as "semi-articulate."¹

Even if we assume that the first inhabitants of Britain had all been merged long before Cæsar's arrival into one or other tribe of the conquering Keltic and Germanic races, the difficult task still remains of distinguishing these among themselves by name and territory. About thirty names of tribes within the limits of England and Wales have been preserved by classical writers, and their very number serves to embarrass us. Sometimes the same name appears in a Keltic or a Roman form, as in the case of Briton and Pict. Again, the name Briton, or "painted,"² is evidently rather a designation than a generic term, although, from the fact that Britannia Secunda was not the second province which the Romans conquered, we may perhaps infer that there was some unusually strong bond between the Silures of South Wales and the native or pre-Belgic population of the south and south-west. Sometimes a tribe name merely designates locality. The Cornubii of Caithness were probably so called from their position in the extremities of the island (*corn. finis*); the Lindonini of one author are only Londoners;³ and the Bibroci of Berkshire seem to have lived in a district where beavers abounded (*biber*, beaver).⁴ Facts of this

¹ Nennius, Hist. Brit., c. xxvii. The argument will not be much affected if the date of Nennius be more recent.

² "Brith," *variegatus*, Zeuss,

Gramm. Celt., vol. i. p. 174.

³ Stephanus Byzantinus, M. B., p. xx.

⁴ Zeuss, Gramm. Celt., vol. ii. p. 761.

sort make it very difficult to trace the identity of different peoples; and often when a tribe seems to disappear, the reason may probably lie in the arbitrary preference of later writers for some new designation. The people of our Anglian counties, Norfolk and Suffolk, are called Cenimagni by Cæsar, Iceni by Tacitus, and Simeni by Ptolemy. It is not impossible that all three names are actually the same. It is also possible that Iceni was rather the name of a federation than of a tribe. The Iknild Way, which perhaps fringed their frontier, crossed the island from Norfolk to Dorchester; and the Itchen, which seems to preserve a record of the race, is a Hampshire stream. In this case it is easy to understand that a conquest like that of the Belgæ may have shattered the power of a dominant people, and the tribe shrinking back into its original limits, only left the memorial of its name behind it.

Still, when these difficulties have been allowed for, there is reason to believe that throughout England there are many local names and limits which date from the days before Cæsar. A geographer of Ravenna in the seventh century, writing apparently with maps before him, gives a list of nearly two hundred names in Britain south of the Tyne, and, although in some cases he merely follows the line of the Roman roads, in others, as, for instance, in Cornwall, Devonshire, and Dorsetshire, he gives a catalogue of townships which seem to fall in regular order within the actual county limits. Many etymons of the names he mentions are preserved to this day in their respective districts; so that Tamaris, Londini, and Argistillum, are almost literal renderings of Tamar, London, and Arwystli: in other cases, such as Seaton for Moridunum, the old meaning has been faithfully translated; while in many of our

modern names, such as Molton, and Penshurst, a British and Saxon etymon are coupled together.¹ Take again a county such as Devonshire, or Cumberland,² and British roads will be found radiating over it between the principal towns as they now exist; as, for instance, between Devonport and Exeter, Exeter and Taunton, Exeter and Axminster. Only in one great particular the Romans seem to have changed the geographical relations of tribes. Before the final conquest of Britain under Claudius, east and west seem to have been the great natural divisions, originating perhaps as the first settlers came over from Spain, or fought up along the eastern counties from Gaul, and favoured by the circumstance that a ridge of hills partially bisects England through Yorkshire and Derbyshire. But under the Romans the country was divided by north and south; the Thames, the Humber, and the Tyne became natural boundaries. Traces of the old order lasted down to a late period; the western Kymry struggling in the first years of freedom with the eastern Loegrians; and in the Saxon and Anglian conquests the Roman provinces were again broken up for a time into east and west, *Britannia Prima*, for instance, separating into Wessex, Sussex, and Kent. But Roman law had graven itself in our land, and before long the old limits were restored in their integrity.

It is impossible to determine precisely the political organization of the British tribes. Probably they differed in civilization as they lay near the continent or towards the rude north. But, speaking generally, the clan, in the

¹ Molton, or Molland near it, has been identified with the *Termonin* of the *Ravenna* geographer. It was probably *Tre-moel*.

² See the papers communicated by Dr. Bennet, Bishop of Cloyne, to Lysons' *Britannia* for Cumberland and Devonshire.

time of Cæsar, seems to have been the political unit, and the general state of the country may be best described as a federal anarchy. There was, indeed, some idea that the island, or, at least, a large part of it, had common interests and a certain national unity; roads traversed the dominions of alien tribes indifferently; and the treaty contracted with Rome was apparently understood in Britain, as well as by Cæsar, to be binding on the nation at large, so that a British exile urged its non-observance with Claudius as a reason for imperial intervention. Still the dignity of British king was pretty certainly rather the appanage of the premier tribe by strength than of any dynasty, and the chiefs of the Belgæ, and of the Catvellans, appear to have exercised it successively within the space of a few years. Within the tribe or clan itself we may distinguish several orders; the chief and his kindred, the Druids or priestly caste, and the bards, who seem to have enjoyed a half-priestly character; the fighting men of the tribe, the labouring population, and, distinct from these, the slaves. It is probable that, in parts at least, there were servile villages, occupied by a kindred but conquered race, the first occupants of the soil, or perhaps later on by prisoners taken in war, who paid tribute to the tribe, and were forbidden the use of arms.¹ The early mention of genealogies in the Welsh laws is proof of the importance attached to noble birth, and to the orderly transmission of property. The power of the chief was probably in a great measure patriarchal, and

¹ Venedotian Code, book ii. cap. xvii. s. 14. Gwentian Code, book ii. cap. xxxv. s. 5, 7. Laws of Ancient

Wales, vol. i. Welsh Laws, book x. cap. vii. s. 16, and book xiii. cap. ii. s. 106. Laws of Ancient Wales, vol. ii.

determined rather by custom than by law. The right of insurrection, which was literally reduced to law in a Welsh code of, perhaps, the sixth century,¹ seems to have been enforced in the earliest times if Welsh legend may be trusted. It was, no doubt, partially compensated by that strong feeling of kindred which makes the vendetta the disgrace of Keltic nations, and by the allegiance of vassal to lord, which is always strongest in military communities.

"In all that regards the appearance, the manners, and the civilization of our British ancestors, we are reduced to the scanty evidence that can be gleaned from the vestiges of their homes, from a few skulls and other bones, from fossil words, and from casual historical notices. Even this must be cautiously sifted. Where the probability is so great that the several tribes were on different levels of culture, it is certain that we have no right to confound them with the Gauls of the continent, or to patch up a mosaic of notices from Greek or Roman authors in different centuries. For instance, taking the more noticeable points of complexion and feature, Strabo, in describing Cæsar's campaign, tells us that the Britons were taller, slighter, and browner-haired than the Gauls, but withal loosely knit; Plutarch says the Britons were thick-set;² Tacitus speaks of the red hair and large limbs of the people of Caledonia; and the Gaelic type of low nose, dark complexion, projecting mouth and jaws, and receding chin is still so common in the western counties, that we do not need the evidence of language to determine their aboriginal population.

¹ Welsh Laws, book xiii. cap. ii.
s. 62. Laws of Ancient Wales, vol. ii.

² Strabo, lib. iv. p. 278. Plutarch,
De Plac. Phil., lib. v. c. 30.

Perhaps our own word, "boy," meaning as it does "fair-haired,"¹ is some proof that the adult British male was not commonly flaxen-haired, like the German, or red-haired, like the Scot. In other respects, speaking generally, the British physique, if we may judge from the better specimens of the human remains found in barrows, was that of a weak and impulsive, but not unintelligent race. The average capacity of the skull is smaller than that of Saxon and Roman crania, but its form is less irregular, and is often exquisitely symmetrical. The predominance of the middle or emotional compartment, and a certain deficiency in the back part, indicating a weak will, are its chief features. The frontal development is commonly good, though not equal to the Greek type.² But facts of this sort cannot be pressed, and our records of British civilization are scarcely more complete. It is noticeable that the oldest Welsh and Armorican poems contain no notice whatever of woman or love; and in primitive legends, such as that of Enid and Geraint, the wife is little better than a squaw whose duty it is to bear children and do her lord's behest. Nevertheless, the instances of Boadicea and Cartimandua show that women might enjoy political influence and dignity,³ and the earliest Welsh laws evince manifest respect and regard for the sex. Probably where it suffered, circumstances and imperfect culture were more at fault than the race. The standard of moral purity can hardly have been high. Cæsar thought that they lived ten or twelve together, and that wives

¹ Boy, *buidhe*, yellow, fair-haired, pronounced *boy*. White's Irish Grammar, pp. 25-49.

² See *Crania Britannica*, vol. ii. for specimens of British skulls.

³ Aristotle describes it as a specialty of the warlike tribes beyond the Kelts or Gauls, that they were often governed by women. *De Republicâ*, lib. ii. c. 9.

were common in the family;¹ and a Caledonian lady reproached the Roman matrons in the suite of Severus for the secrecy and shameful circumstances of their adulteries; in her own tribe, said the wife of Argentocoxus, there were no limitations, and there was consequently no guilt.

Arts and sciences can only be talked of relatively among a people such as the Britons were. A portion of them, if Cæsar may be trusted, were still unacquainted with tillage at the time of his landing; but the tribes within easy reach of the continent, and the people of Kent in particular, were almost as civilized as the Gauls. The most civilized of the Britons seem to have made use of coined money,² to have been able to work tin and lead mines,³ to make bronze, to fashion jet, to cement stones by glazing them with fire, to manufacture wicker-work, to make coracles and war-chariots, to ornament their arms, and to correct the deficiencies of a clay soil by dressing it with lime.⁴ The harp seems to have been the national instrument. The roads that traversed the island and the trade with the Carthaginians and Gaul show that there was some internal police, and some reserve of products to be bartered away. Evidently they were not mere savages "running wild in woods." But their wants were still undeveloped, their taste untutored; and the staple of their commerce with

¹ Cæsar, lib. v. c. 14. Xiphilinus, *M. B.*, p. lxi.

² Mr. Hawkins thinks the money was coined in Britain. *English Silver Coins*, pp. 8, 9. Mr. Akerman thinks it was brought over from Gaul.

³ A plate of lead has been found at Mendip, in Somersetshire, with the name of the Emperor Claudius

and the date A. D. 49. Camden's *Britannia*, p. 166. As this was only five years after his invasion, it is inferred that the mines had been opened by the Britons. Again, the word "gof," "smith," is apparently primitive.

⁴ Pliny, lib. xvii. s. 4. Cf. *Monast. de Abingdon*, vol. ii. p. 294.

Gaul was for glass vessels or for trinkets, such as amber and ivory bracelets and necklaces.¹ They had no architecture or sculpture; the burnt bodies of the dead were consigned, perhaps in urns, to a circular pit;² and a large stone was their monument over a chief. Among the earliest homes some were probably on artificial islands of piles driven into the bottom of a bog or river, and connected by a causeway with the land.³ The stronger and more warlike tribes secured themselves from surprise in townships or camps, recommended by some natural advantage of hill, forest, or marsh, and fortified with felled timber and a ditch.⁴ The villages were circles of huts hollowed out of the hills or heath, to save wall building, the sides wattled and the roofs thatched; or in parts where there was greater culture, circular-shaped houses were constructed, with low stone walls, with conical shingle roofs, and with a single arched entrance, at once doorway and window.⁵ How they lived we know not, except from a few notices; but we

¹ Strabo, p. 278.

² See Mr. Akerman's paper on a British cemetery at Stanlake. *Archæologia*, vol. xxxvii. pp. 363-370.

³ On draining a mere, near Wretton Hall, Thetford, Norfolk, in a deposit of peaty mud, twenty feet in depth, "numerous posts of oak wood, shaped and pointed by human art, were found standing erect, entirely buried in the peat." At a depth of from five to six feet from the surface were found some very large antlers of the red deer, which had evidently been sawn off. *Quarterly Geological Journal*, vol. xii. p. 355. Xiphilinus, speaking, it is true, of a time when portents were witnessed, says that certain dwellings were seen under the Thames. M. B., p.

lvi. Compare the statement in Bede, that Cassibelaun had defended the bank of the Thames with a stockade of sharp stakes driven into the water, and still, in Bede's time, to be seen. H. E., lib. i. c. 2. These are often supposed to have been part of a weir; but such an explanation is to force Bede's words, *præstruzerat ripam*.

⁴ Ambresbury-banks, near Copt-hall in Essex, is supposed to have been a town of this description. "It is nearly of an oval form, and contains an area of about twelve acres." King's *Munimenta Antiqua*, vol. i. p. 13.

⁵ *Crania Britannica*, vol. i. pp. 71, 72. Fosbroke's *Encyclopædia of Antiquities*, vol. i. p. 99.

know that savage life in a northern climate must have been laborious and hard, a struggle against the beasts of the field, against dearth, and against the elements. The teeth found in skulls are commonly sound in texture, but are often worn away, as if with exercise upon parched peas or grain, or with gnawing bones.¹ As they ate coarsely, they drank largely of the beer and mead which took the place of wine in the north.² Huntsmen and fishermen they would be by necessity; their skill in training dogs seems to show that they took kindly to the sports of the field; and the implements of a game like nine-pins have been found in the north, deep down, almost fossilized in a bog,³ as the players no doubt left them when the final summons hurried them away to that battle-field which was to be their last. To complete the imperfect details of this picture of early life, we may reproduce in fancy the British chief, with his "glib" of matted chestnut hair and his moustache, with the broad chest, and long arms, and high cheek-bones of his race, and with the plaid thrown loosely about him, living among his clan like the father-despot of the East, with fighting men to do his will, and with none to share his power except the Druid and the Bard.

Cæsar tells us distinctly that the religious faith of Britain and Gaul was one, that it had originated in Britain, and that students from Gaul still went there, as to the holy island, for instruction. It is more probable that the colonists retained their traditions with less of change than the mother country, which Greek traders

¹ Wilson's Pre-historic Annals of Scotland, pp. 187, 188. *Crania Britannica*, vol. i. p. 74.

² Dioscorides, lib. ii. c. 110.

³ Wilson's Pre-historic Annals of Scotland, pp. 563, 564.

and Roman legions traversed. From what we know of it, their religion indicates a low state of intellectual development. They had reached the first article of a creed, the belief in a human personality that should outlast the body; but they held it in its lowest form, the doctrine of the transmigration of souls.¹ While the Norseman supposed the gods to be in perpetual strife with the powers of nature, the Keltic tribes seem to have inclined to the sickly fatalism of the East, and worshipped the solar system.² Traces of Fetichism are still perceptible in the Gaelic legends: the horse, dog, and pig, the most common animals, were also sacred; the iron swords with which they slew their enemies, the very combs used for the hair, were at once so precious as to be buried with them, and so wonderful that mystic powers were ascribed to them; the mistletoe was reverently collected with a golden sickle; the voices of birds and horses were ominous of coming events.³ There was a personal mythology; but the spirit of Roman pantheism, which erected a temple to the divinities of all nations,⁴ has confounded the British gods under classical names. Cæsar tells us that the chief deities were Mercury, Apollo, Mars, Jupiter, and Minerva.⁵ Oghum seems to have been at once Mercury

¹ Mr. Nash, in his *Talesin*, p. 134, disputes the belief in the Metempsychosis. But the evidence of Cæsar and Diodorus Siculus is express. I do not think it necessarily implies a purification through different animal forms; it seems rather to be the idea in Plato's *Phædo* of a soul that clothes itself in different bodies, and survives their decay.

² Cæsar, *De Bell. Gall.*, lib. vi. c. 14.

³ Campbell's *Tales of the High-*

lands, vol. i. pp. lxxii.-lxxx. Pliny, *Hist. Nat.*, lib. xvi. s. 95.

⁴ "Matribus (i.e. the deities so called) omnium gentium." Horsley's *Britannia Romana*, p. 263.

⁵ Cæsar, *De Bell. Gall.*, lib. vi. c. 17. Cæsar is here speaking of Gaul; but as he has before said that the religious worship of the Gauls was of British origin, he may probably be followed safely as far as he is borne out by British antiquities. I have, however, excluded Hesus, a

and Hercules. He was painted in the second century of our era by men acquainted with Roman art as an old man clad in a lion's skin, with a club in the right hand, and a bent bow in the left. The ears of a crowd of worshippers were bound by chains of gold and amber to his tongue. For the Kelts, as they told Lucian, believed that reason and persuasion were the real forces by which the world was governed, and that winged words were keener and truer than were the shafts of war.¹ Belin, probably Cæsar's Apollo, seems to correspond to the Pol or Balder of the Norsemen. Perpetual self-generated fire was his symbol in the religious liturgy; and it lasted down to a late period in the sacred fire of St. Bridget's chapel at Kildare, and still survives in the Beltane fires of St. John's Eve.² The deity, Sul, whose British name appears to mean "the Sun," is commemorated on several altars in Bath as Sul-Minerva.³ This may lead us to suppose that two at least of the higher deities were consubstantial natures, so to speak, with the sun, the great natural symbol of life and light. Belatucader is described in one inscription as Mars, and probably presided over war.⁴ Of Teutates, the father of the gods and Cæsar's Jupiter, the memory only lives in a district of Cornwall, where his name seems to have been baptized into the Church as St. Tudy and St. Teuth.⁵ Jupiter

Gallie deity, from my list, as his name does not occur in any inscription or local etymon.

¹ Luciani Hercules Gallicus.

² Giraldi Cambrensis Topographia Hibernie, c. 35.

³ Earle's Bath, pp. 28, 29.

⁴ Insc. 116, p. cxviii, M. B.

⁵ Nemetotacio in the Ravenna Geographer (p. 424, ed. Pinder), occurs between Giano, probably

Penzance or Falmouth, Eltabo, probably Voluba or Grampound, and Tamaris, some town on the Tamar. The present road from Launceston to Grampound passes near the hamlets named after those saints, of whom I can discover no notice in church annals; unless St. Tydeu, one of Brychan Brycheiniog's fifty-one children, is to be considered historical. Iolo MSS.,

Tanarus was probably the god whom the Britons revered as the Thunderer.¹ There was a host of minor deities. In the terrible revolt of Boadicea her followers sacrificed their captives in the groves of Andate, or victory.² Of Cocis, Matunus, Mogontis, and Setlocenia,³ we can only conjecture that they were local genii or nymphs, as Elauna seems to be the personified Lune in Yorkshire. The Sulevæ appear, from their name, to have been sun-elves.⁴ Besides these, the mothers and the nymphs, weird forms of womanly nature, often conceived as three in number, and associated with house and field, were revered with votive altars and superstitions of daily life.⁵ The hag, Ceridwen, of Welsh fairy lore, who presides over a magic cauldron, and transforms herself into different shapes at pleasure, is a goddess degraded under Christian influences to a witch.

From these scanty names and notices of the gods whom our fathers made we may yet complete our knowledge of the race. An instinctive homage for thought and law shows itself in the reverence for Oghum; an instinct for the sanctity of peace in the custom that forbade the Druids to bear arms;⁶ and a weak impressible half-Asiatic temperament in the worship of the solar powers and of the generative forces of nature. The personal element is a little wanting in the mytho-

p. 521. Perhaps Coritiotar, *Ravenna Geog.*, p. 434, somewhere in the north, is another old temple of Teutates.

¹ Horsley's *Britannia Romana*, p. 315. "In the Celtic *taran* (Cymr), and *torrann* (Gael), signify thunder." *Crania Britannica*, vol. i. p. 128.

² Called also Andraste, Xiphilinus, p. lviii., M. B.

³ Horsley's *Britannia Romana*, p. 366.

⁴ Earle's *Bath*, p. 29.

⁵ Horsley's *Britannia Romana*, pp. 202, 222.

⁶ See the description in Tacitus of their "offering the unmoved body to wounds," when they were massacred at Mona. Tacitus *Annales*, lib. xiv. c. 30.

logy, and with this want are commonly associated a certain deficiency in the finer humanities, and a faith in unseen laws as above will and energy. The Briton propitiated his gods with the blood of men, and consulted the quivering entrails to know his destiny.¹ He believed that his life was swayed by the astral influences that presided at his birth.² His bursts of courage were succeeded by sudden despondency, and with the death of his chief, Boadicea or Arthur, he accepted the suggestion that the stars of heaven fought against him, and quailed before a higher enemy than man.

¹ Cæsar, *De Bell. Gall.*, lib. vi. c.

² See note 1, p. 80.

16. Tacitus, *Annales*, lib. xiv. c. 30.

CHAPTER II.

THE ROMAN CONQUEST.

CÆSAR'S SUDDEN INVASION OF BRITAIN. SECOND INVASION. BRITISH INDEPENDENCE AND CYMBELINE. THE CLAUDIAN CONQUEST. CARACTACUS. THE REVOLT OF BOADICEA. WARS AND PUBLIC POLICY OF AGRICOLA. SEVERUS.

CÆSAR'S sudden invasion of Britain, in the autumn of A. C. 55, must be ascribed to mixed motives. The romance of a brilliant adventure was probably the chief of these; but the desire to complete the subjugation of Gaul, by punishing a people who had aided the Veneti in their struggle for liberty, would have reasonable weight with a statesman and general. In the absence of all precise information he may, to some extent, have been misled by legends of Phœnician and Carthaginian trade, in years gone by, with the tin producing islands.¹ Yet, in fact, the commerce of the country was already in the hands of one who commanded the ports of Gaul. Either from real ignorance, or from reluctance to assist the Romans against kinsmen and allies, or from the inability of uncivilized men to put their practical knowledge into a clear shape, the merchants whom Cæsar assembled gave him no information that he could use of the extent of Britain, or of

¹ Cicero's expression seems to imply this, "Etiam illud *jam* cognitum est neque argenti scripulum esse

ullum in illâ insulâ neque ullam spem prædæ." Cicero, Ad Atticum, iv. 16.

the number of its tribes, or of the capacity of its harbours. The report of Caius Volusenus, who was sent to explore the coast and take soundings, was imperfect, as he did not dare to go on shore; yet he discovered that there were practicable landing-places.

As the report of Cæsar's designs was spread over Britain by merchants, some of the tribes sent embassies to assure him of their submission, and in all likelihood to invoke his aid against Cassibelaun, king of the Catvellans, who was waging unintermittent war with his neighbours. Cæsar encouraged them with lavish promises, and sent back Commius, the Atrebate, with them, a Gallic ally, who was known to have great influence in Britain, probably among its Belgic clans. Meanwhile the Roman general continued his preparations for a campaign. A force of two legions was collected at Wissant (Portus Itius), then a commodious harbour. When, however, Cæsar and his fleet appeared (10 A.M. August 27, A.C. 55) in the bay of Dover, they found the cliffs bristling with armed men, and it was thought most prudent to drop round with the next tide to Deal. Even here it was not easy to land, for the natives rushed into the sea to meet their enemy, and fought hand to hand with them in the water. The warships were brought up, and poured in their artillery on the British flank. Still the legionaries wavered till a standard bearer leaped into the sea with the eagle in his hand to rally them; and a general rush decided the victory. The natives were dismayed for the moment by this repulse. They released Commius, who had been imprisoned when he first landed on his diplomatic mission, and gave hostages in proof of their pacific intentions. Accident inspired them with new courage. Accustomed to the tideless waters of the Mediterranean,

the Romans had neglected proper precautions with their ships. The war-galleys, which had been beached, were filled with water by the swell of a spring-tide, and the transports, which rode at anchor, were dashed about and shattered, while the cavalry transports, which had set out later from Gaul, were driven out of their course and forced to put back. The Britons resolved to break the truce, and ceased to complete the number of hostages. Presently, while the seventh legion, which had been detached for forage, was reaping corn, it found itself surrounded by a cloud of enemies. The British mode of fighting from chariots disconcerted the Roman soldiers, and though Cæsar brought up reinforcements in time to save them from utter destruction,¹ he did not think it prudent to molest the enemy. But when the Britons, encouraged by this success, collected their forces and attacked the Romans in their entrenchments, they broke upon the steady line of veterans, and finally fled before a flank charge of only thirty horse. They now sued for peace, and obtained it on easy terms. They were ordered to double the number of hostages, and to send them to the continent, whither Cæsar now hastened to return, lest the autumn gales should endanger his shattered fleet. It is evident that the expedition had nearly been ruinous, and was practically a failure. The Morini of Gaul² esteemed it so, and attacked a portion of his troops when they disembarked at a distance from the main body. Only two British districts sent the hostages that they had promised. It was currently said in Rome

¹ Cæsar says, "Nostri se ex timore receperunt." Comm. lib. iv. c. 32. But Dio Cassius says that the Britons killed all who were foraging but a few. Lib. xxxix. sect. 53, M. B., p. ii.

² Dio says that the Britons after

their first defeat employed some of the Morini who were among them to mediate peace for them. Probably there was constant communication between the two shores. Lib. xxxix. sect. 52, M. B., p. ii.

that he had fled before the new barbarians.¹ He himself was conscious of having failed, and prepared for a new expedition. Only the Senate, perhaps attracted by this discovery of a new world, estimated the attempt by its boldness rather than by its success, and ordered a thanksgiving of twenty days.

In the early summer of the next year Cæsar again sailed from the little port of Wissant,² taking with him this time the comparatively enormous army of five legions and two thousand horse. The natives knew of his coming, and were prepared to resist; but the sight of the 800 ships which, transports and private skiffs included, made up the Roman fleet, disheartened them, and they withdrew into the woods. Cæsar again landed at Deal,³ and, warned by a storm to guard against last year's disas-

¹ Lucan, lib. ii. v. 571.

² That the Portus Itius is Wissant, a small place between C. Grisnez and Calais, seems proved by several considerations, viz. that the traces of a Roman road and camp are still to be found there; that its distance from the English coast (Deal) agrees pretty well with the estimate of twenty-seven miles given by Cæsar, whereas Boulogne is thirty-two miles distant; that Wissant was a frequented port in the sixth century, whereas Calais was not used till the thirteenth. The fact that the harbour of Wissant has been filled up with sand proves nothing against its ancient importance, especially at a time when ships drew comparatively little water. De Saulcy, *Campagnes de Jules César*, pp. 170-184. Long's *Cæsar*, pp. 274-285.

³ That Cæsar landed both times at or near Deal, not in the direction of Hythe or Pevensey, as has lately been argued, seems established con-

clusively by the independent arguments of Dr. Cardwell, Mr. Long, and M. de Saulcy. The difficulty had been that by the tide-tables it would seem that on the day of Cæsar's first landing his transports would be carried west and not east. But it appears that the law of the mid-channel is not applicable to the tide along the shore, and that the transports would therefore, on the day in question, have gone eastward with the tide. This agrees with all other circumstances of the description; with the fact that the horse transports were driven out of sight to the south and west in the first campaign; and with the distance of the river (Stour) from his encampment in the second. Dr. Cardwell, on the Landing-place of Julius Cæsar, *Archæologia Cantiana*, vol. iii. De Saulcy, *Campagnes de Jules César*, pp. 188-203, &c. Long's *Cæsar*, pp. 280-284.

ter, spent ten days in dragging his ships on shore, and surrounding them with earthworks. He then marched into the country, probably led by Mandubratius, whose father, a king of the Trinobantes, had been slain by the federal general Cassibelaun, and himself despoiled of his sovereignty. The line of march seems to have crossed the Stour near Canterbury,¹ and the Medway, near Maidstone,² ending between Kingston and Staines,³ at one of several spots where the river is fordable.⁴ Here the Romans, who had cut their way through the country as they advanced, found the native subjects of Cassibelaun drawn up to dispute their passage, and the river fortified with stakes sunk in the water. But the legionaries charged through every obstacle, and the Britons fled precipitately, their horses panic-struck at the sight of an elephant, and themselves no longer flushed with old confidence. Had the allies and subjects of Cassibelaun been as staunch as himself, victory might still have been disputed in the campaign, for he was prepared to make the country a desert, and draw Cæsar into remote fastnesses, where he might be worn

¹ De Saulcy, *Campagnes de Jules César*, pp. 204, 205.

² A straight line from Deal to Shepperton will leave Maidstone a little on the west. Cæsar's march must have been almost as the crow flies if he reached the Thames in a journey of only seventy-three English miles. That he crossed the Stour near Canterbury is shown by the distance of eleven miles from his camp. Camden conjectures Chilham or Julham to have been the place; Louis Napoleon prefers Barham. The line indicated leads close by Kit Cotty House, probably a corruption of Cath Coit, the bank of the wood, where tradition states that the

Britons were defeated by Cæsar.

³ The distance of seventy-three miles stated by Cæsar would bring him to one of the two most southern bends of the Thames at Shepperton and at Kingston. Assuming, as seems probable, that he had some native guide, such as Mandubratius, the precision with which the right spot was hit is at once explained; and if it was Shepperton, its distance and the early submission of the Trinobantes account for no mention being made of London.

⁴ "Entre Shepperton et Londres on compte actuellement huit ou neuf endroits guéables; le plus favorable est à Sunbury." *Histoire*

out and overwhelmed at a distance from his supplies. But the clans whom the British chief had subjected were rather anxious to throw off his yoke than to exterminate the invader; and the Trinobantes were the first to offer submission on condition of receiving Roman support and Mandubratius as their king. The other tribes hastened to follow their example, and conducted Cæsar to the stronghold of Cassibelaun, a fastness amid wood and marsh, crowded with men and cattle, which the Romans quickly stormed.¹ Only one chance remained to the British prince. With the instinct of genius he resolved to burn the Roman ships and imprison his enemy in the island. His lieutenants² were driven back by a vigorous sally of the soldiers left on guard, and Cassibelaun, in despair, sued for peace. He

de Jules César, par L. Napoléon, tom. ii. p. 191.

¹ Where the city of Cassibelaun was, and who his hereditary subjects were, cannot be decided. But the city was not far from where Cæsar crossed the Thames, and the people were neither the Cantii of Kent, the Trinobantes of Essex and Middlesex, the Bibroci, who have been placed in Berkshire (at Bibracte, Bray), and whose name (from *biber*, beaver) seems to show that they lived in some beaver producing district, probably along the Thames, nor the Cenimagni of Norfolk, Suffolk, and Cambridge, nor the Cassii, perhaps of Hertfordshire, nor the Segontiaci of Kair Segont, or Silchester, nor the Ancalites, perhaps of Henley and Ancaster in Oxfordshire, inasmuch as all these sent embassies to Cæsar while Cassibelaun was still unsubdued. Dio speaks of a people of Catvellans to whom the Boduni, a people of Sussex, were

subject, at a time when the sons of Cunobelin were federal sovereigns. Probably they were a distinct clan, but kin to the Cassii and Trinobantes, and their district may have comprised Buckinghamshire, the only part north of the Thames, and not far from Shepperton, that is unaccounted for. Cæsar says the city was "*sylvis paludibusque munitum*." Bede says "*inter duas paludes*." Camden supposes it to be Verulam.

² "*Capto etiam nobili duce Lugotorige*." Cæsar, *De Bell. Gall.*, lib. vi. c. 19. This is probably the "Cavelian" chief whom Florus speaks of as taken prisoner, though, speaking succinctly and vaguely, he seems to connect his capture with an expedition into the Caledonian woods. Florus, *Epitome*, lib. iii. c. 10. If so, it is incidental evidence of the genuine supremacy exercised by Cassibelaun, if he was able to appoint a general of his own over four chiefs of Kent.

obtained it on easy terms, as Cæsar was anxious to return to the continent before the autumn storms set in. It was agreed that the British prince should give hostages, pay tribute for Britain to the Roman people, and should leave the Trinobantes unmolested. Cæsar then quitted the island, taking with him, besides the hostages, many captives who were destined for the slave-market, and a breastplate of British pearls for Venus was displayed afterwards in his triumph as its chief ornament.¹

During nearly a hundred years no Roman soldier set foot on the British shore. The fear of a fierce people, and the tradition of a poor country, proved stronger than the lust of territorial conquest. Three several times did Augustus resolve to enforce the promised and intermitted tribute. Twice he was delayed by revolts in the empire, and once withheld, till the moment to strike was past, by a British embassy which sought him out in Gaul.² Yet the presence of two exiled princes at his court, who perhaps were paying the penalty of Cæsar's protection, and who certainly implored succour from Rome, shows that the submission of Britain was only nominal.³ Presently another exile, the banished son of the most powerful prince Cunobelin, offered homage to Caligula for his father's dominions. Caligula led his army to Boulogne, and there, dismayed at his own enterprise, or appeased by tribute and tenders of submission, put out to sea for a short distance in his trireme, and presently

¹ Solinus, Polyhist., cap. liii.

² Dio Cassius, lib. xlix. s. 38 ; lib. liii. s. 22. s. 25. Mr. Merivale notices a fragment of Livy, which speaks of "Cæsar Augustus regressus a Britannia insulâ," but rejects it as probably not strictly faithful to the

sense of the author. Merivale's *Romans under the Empire*, vol. vi. p. 14.

³ See the inscription on the monument at Ancyra, "Domno and Bellaunus of the Britons came as suppliants to me." M. B., p. cvi.

returned in triumph as undisputed lord of the ocean. It is even said that he ordered his rough veterans to pick up shells on the sea-sands in token of his success; but the story is probably coloured by the bitter hatred of his historians;¹ and it is more likely that the Britons averted attack by a submission that left them free. During all this period the island seems to have flourished. The Belgæ, no longer recruited from Gaul, no longer threatened the independence of their neighbours; and Cunobelin, perhaps the grandson of Cassibelaun,² and heir of his ambition, established a federal sovereignty, which included all the island south of the Humber.³ His palace was at Camulodunum, near Colchester, and he seems to have struck coins there and at Verulam; but London was already the real centre of trade. From it highways radiated across the island, especially along the Anglian and South-eastern coasts, where the commerce with the north and with Gaul was already important. A bridge was thrown across the Thames a little above the part where the tide is distinctly felt.⁴ A small custom's duty, levied at the Roman ports, was apparently paid without difficulty. The rude coinage, copied from Macedonian money, was replaced by more elaborate imitations of the Roman

¹ Merivale's *Romans under the Empire*, vol. v. c. 48.

² A Tasciovanus seems to be interposed. *M. B.*, p. cliii.

³ His coins have been found as far north as Norwich and Chester. Akerman, on the Condition of Britain from Cæsar to Claudius, *Archæologia*, vol. xxxiii. More than forty varieties of Cunobelin's coins still exist and attest his importance. *M. B.*, pp. cliii. cliv.

⁴ See the account of Plantius's

campaign in Dio Cassius, lib. lx. s. 20. As the Britons were easily able to swim across, and even ford the river a little lower down, the part is probably somewhere between Blackfriars and the Tower; perhaps on the site of London Bridge. The pathless marshes in which the Romans got involved must be sought near Plai-stow, or perhaps about Fenchurch. See *Archæologia*, vol. xxxiii. pp. 110, 111.

mint.¹ To strengthen the feeling of common nationality religious fugitives from the province of Gaul came over to the sacred island, where no prætor could forbid their bloody sacrifices, and no foreign soldier invade their sacred groves.

This tranquillity was not destined to endure. Neglecting the precedents of the first two Emperors, who had seen the danger of extending their boundaries, Claudius sent an army into Britain. So high was the reputation of British valour that four legions under an able commander, Aulus Plautius, were considered necessary for the enterprise, and the mere announcement of the service required, at first caused a mutiny in the camp. Nevertheless, the Roman army was unopposed on the southern strand, and advanced, after two slight engagements, to a river, probably the Medway. Plautius sent his horse across the stream, and, after two days' fighting, followed up a brilliant victory to the Thames. A fourth battle took him to its north bank; but the Britons, not dismayed by their defeat, only gathered in fresh force to crush the enemy. The Roman general halted, and sent to Claudius for support. The Emperor, probably not unprepared for the call, responded to the summons in person. Camulodunum was invested by the imperial army, and the Trinobantes, routed before their entrenchments, were panic-stricken and surrendered. Claudius retired to enjoy a triumph and the surname of Britannicus. But the sovereignty of Cuno-belin had been too firmly established to be destroyed by a defeat, even at the gates of his capital. His son, Caractacus, to whose share the western part of the kingdom had perhaps been assigned at his father's death,

¹ Hawkins on English Silver Coins.

took up the struggle in which his brother, the partner of his throne, had fallen.¹ Vespasian, the best general of the age, beat the British prince before him to the hills of Wales, in a bloody conflict which cost more than thirty battles, and the storming of more than twenty towns. Britain, south of the Thames, was then Roman; but Caractacus was unsubdued. For nine years he hung upon the onward Roman march, never able to advance far from his Welsh stronghold, and from the tribes still faithful to his cause, yet never willing to intermit the contest, and live unmolested in a mountain principality. Such a struggle could only have one end. In an attempt to intercept Ostorius Scapula, who had penetrated into North Wales, Caractacus sustained a decisive rout. The worthless Queen of the Brigantes, to whom he fled for shelter, betrayed him to the invader. Caractacus graced a Roman triumph; but his courage commanded the respect of his enemies, and he and his family were allowed to live in an honourable captivity.

The fortified towns of the Romans, more numerous relatively in Britain than in any other province of the empire, attest the obstinate nature of the struggle by which their dominion was won inch by inch from the foe. The strength of the national movement lay in Druidism; and the professors of that faith could not hope for tolerance from Roman contempt. Human sacrifices were forbidden in Gaul; the very possession of a Druidical amulet had been punished by Claudius with death.² Accordingly, eleven years (A.D. 61) after

¹ The loyal support which the Silures lent to a prince not of their own race seems to imply a close previous connection with him as a

governor.

² Pliny, lib. xxix. s. 12; lib. xxx. ss. 3-4. Suetonius, i. lib. v. c. 25. We need not assume any exceptional

the capture of Caractacus, the new præfect, Suetonius Paulinus, penetrated to the sacred island of Mona (Anglesea), where the native religion had its citadel. The shores were thronged with armed men, with Druids invoking the aid of their native gods, and with black-robed Sibylline women, who ran to and fro with torches, animating their countrymen. But the veterans of Rome were proof against superstitious terrors. They scattered the troops opposed to them in one successful charge, cut down the defenceless priests mercilessly, or thrust them upon their own altar fires, and destroyed the sacred groves. Druidism disappears from this time as a historical religion. It is probable that it was still a recognized faith in Ireland, and that it lingered on in England, for centuries after altars had been raised to other faiths, a superstition without temples or rites. The Bards, whom Roman policy proscribed as vigorously as the Druids, reappear to exult in the fall of the Roman empire; but the priestly caste, if it was ever distinct from the poetical, perished absolutely.¹

During the absence of Paulinus in the west, a rebellion had broken out which threatened to sweep the invaders back into the sea. During twenty years of dominion the Romans had organized tyranny till it became insufferable. Independent princes were controlled by Roman *residents*; the flower of the British youth was drafted into the legions; heavy taxes were exacted from

hatred to Druidism, as the Romans, much to their honour, put down human sacrifices in Africa as well. Compare Juvenal, Satire xv. l. 115-119.

¹ Villemarqué's *Bardes Bretons*, pp. xxii. xxiii. Dr. Thurnam denies the extinction of Druidism, but I

think on insufficient grounds. The "*rusticus aruspex*," whom *Severus*, can hardly have been a Druid, if the word is construed literally, and was probably either the "*spae man*" of the district, or the priest of an imported religion. *Crania Brit.*, vol. i. pp. 120, 121.

a people little accustomed to bear taxation; and money lent out on usury to the needy provincials by rich capitalists, such as Seneca, moralist and sycophant, was recovered by the stringent processes of Roman law. So complete was the subjugation of the conquered that Prasutagus, king of the Iceni, inscribed the republic as his heir, in the hope of securing an honourable provision for his wife and daughters. That hope was deceived. Boadicea, the widowed queen, was publicly scourged, and her daughters given to the camp. Roused by this unutterable shame, and fired by the passionate eloquence of their queen, the Iceni sprung to arms. The Roman colony of Camulodunum (Lexden), deceived by the Trinobantes with friendly assurances, was stormed on the second day of the siege, and the happiest of its defenders were those whom the sword did not spare for the torture. The insurrection was now national, and the British forces successively sacked Camulodunum, Verulam, and London, turning round fiercely on the ninth legion, which hung in their rear, and defeating it at Wormingford on the Stour.¹ The commander of the second legion was panic-struck, and remained inactive at Caerleon (Isca Silurum). But while the insurrection wasted its strength in storming towns, Suetonius, rapidly marching up from Chester at the head of the fourteenth legion, and a few picked soldiers from the twentieth, had deliberately left London to its fate, and stood at bay with his back to the sea, having probably been intercepted on his march to Camulodunum. This position, in which the Roman flanks were secured by wood, hill, and fortified lines, gave no advantage to the numbers of the Britons. Their disorderly masses were soon pene-

¹ Merivale's *Romans under the Empire*, vol. vi. pp. 51-56.

trated by the Roman wedge, and a fearful massacre of eighty thousand¹ avenged the seventy thousand Roman colonists whom the insurrection had slain. Boadicea died by her own hands. Order reigned again in Britain; but the Romans had learned by fearful experience that they were not dealing with the soft men of the south. Suetonius was speedily recalled, and a milder policy inaugurated.

The next critical epoch in British history is the government of Caius Julius Agricola, A. D. 78. Agricola found the marches of Wales in insurrection, and the country north of the Humber still unsubdued. In a series of masterly campaigns he reduced the whole of the island south of the Tay, forced the passage of the Grampians, and secured the northern frontier of the empire by a line of forts between the Frith and the Clyde. It is strange that a statesman so able, and as reckless of human life as his countrymen in general, should not have exterminated the tribes of the north, whom no barrier could long restrain from forays upon the Lowlands. The difficulty, in fact, applies to the whole policy of the Romans in Great Britain. It seems as if less labour than constructed the two fortified lines

¹ Mr. Merivale (*Romans under the Empire*, vol. vi. p. 57) thinks that only the Iceni took part in this insurrection, and infers that they were of a different race to the other tribes. Their position on the Anglian coast certainly favours the surmise of a Teutonic origin. But it is difficult to believe that an army of one hundred thousand men could be recruited exclusively from Norfolk and Suffolk, and yet maintain itself in Essex and Hertfordshire, unless either sup-

ported by the natives or preying upon them. If, indeed, the Catichlani were Teutonic, as Mr. Kemble conjectures, they may have furnished recruits or provisions. But the more we extend the area of Teutonic races, the more difficult it is to understand why their presence was not recognized. Again Zeuss derives the name of Boadicea from "bud," "buad," "victory," *Gramm. Celt.*, vol. i. p. 27.

of the north, and less expenditure of men than the perpetual presence of an armed foe involved, would have carried roads through the Highlands, and destroyed every barbarous clan in the mountain glens. The answer probably is, that, without an efficient fleet, the Romans could not pursue the fugitives into the Hebrides, or hope to prevent a fresh immigration from Ireland. There are some evidences that the Roman sword did its work at times with terrible thorough-goingness. The *Mæatae* were the most powerful people whom Xiphilius knew of in the Scotch lowlands, and their name, as it were, included all others. Yet they disappear altogether from history and are replaced by the Picts,¹ or by Brigantes² from the Cumbrian district, and by the barbarous Attacotti,³ who had probably been their subjects. Indeed, we find that the Irish difficulty did actually suggest itself to Agricola. He resolved to conquer that island, in order that his British subjects might no longer see any free country from their own shores. He even entertained a fugitive Irish chief, as a pretext for invasion. But the jealousy of Domitian recalled the successful governor, A.D. 86, while his work was yet undone.

Nevertheless, the eight years of Agricola's government had effectually reduced England to a province of

¹ Mr. Herbert (*Britannia after the Romans*), whose view has been followed by the best modern critics, regards the name Pict (painted) as merely the Latin translation of *Briton*, or *Brith*, *Variegatus*. Zeuss, *Gramm. Celt.*, vol. i. p. 174. What we know of the language and history of the people indicates that they belonged to the Kymric family.

² Roy's *Military Antiquities*, p. 119.

³ "The Latinized form, Attacotti, is written in all Irish MSS. ancient and modern, 'Aitheach Tuatha,' and this means nothing more than simply the rent-payers, or rent-paying tribes or people." O'Curry, *Ancient Irish History*, p. 263. But by Roman writers, at least, the people who bore this name are always recognized as a distinct provinciality.

the empire. By a fresh arrangement of the taxation the people had been relieved of their heaviest burdens, and men of character had been chosen as officials. Hitherto the public granaries had been grossly mismanaged; districts had been compelled¹ to send their contributions of corn to a distance, and even to buy it back again from private speculators at fancy prices. Agricola crushed the whole system at a blow. As fortified towns sprung up everywhere in the tracks of the legions, the tribes were awed into peace. Conciliated by a sound policy, and dazzled by the magnificence of their civilized conquerors, they began to copy the arts they saw around them. The sons of the chiefs learned to speak Latin, affected the use of the toga, and began to accustom themselves to the bath and banquet. The large-minded statesman was civilizing a new people, while he seemed to be only attaching them to the empire.

For two centuries after the time of Agricola the history of Roman Britain is without a single dramatic episode. Between the Forth and the Tyne there was almost incessant war with the northern tribes. About the time of Hadrian's accession so terrible were the losses sustained by the Romans, that they bore comparison with the bloodshed of the campaigns in Palestine. Accordingly, in A. D. 120, the emperor thought it ne-

¹ The words of Tacitus (Agricola, cap. 19) are very difficult. I translate them:—"They (the Britons) were constrained in mockery to sit before closed granaries, and to buy whether they wanted or not. Bye-paths and distant places were assigned, so that the cities might carry the supplies commanded for the next

winter-quarters into distant and difficult parts." It would seem that the communes were compelled to furnish rations to the Roman troops; and that the corn thus supplied was called in, in a vexatious manner, and sometimes forced back upon the natives at arbitrary prices by the officials.

cessary to visit the island in person, and constructed a vallum, or fortified earthen mound, strengthened with a ditch, from Bowness to Tynemouth, across the North-umbrian hills.¹ Twenty years later, under Antoninus, the prætor Lollius Urbicus completed the lines of Agricola by a similar rampart between Caer-riden on the Forth and Alcluith (Dunbarton) on the Clyde. Down to this time apparently the tribes under Roman rule had never been disarmed, as we find the Brigantes making war upon some of their neighbours who were in the Roman alliance.² Antoninus punished the offenders by mulcting them in a portion of their territory. The disorders of the empire, in which the British legions took a full share, under Commodus, A.D. 190, encouraged the northern marauders to renew their attacks. But their dangerous success provoked the Emperor Severus to take the field in person. He found a Roman province, probably Valentia, comprising the lowlands and North-umberland, overrun by the barbarians. Putting by their overtures for peace, he advanced cautiously into the country, cutting down the forests, making causeways across the morasses, and driving in the cattle and sheep everywhere. The tribes retreated before the Roman army, and Severus dictated peace at the Frith of Cromarty. But he bought his success dearly. Fifty thousand soldiers perished in that terrible war, in which the enemy never appeared in the field, never

¹ Quarterly Review, No. 213, "The Roman Wall in Britain."

² Camden has conjectured that the district overrun, Genounia (Pausanias, M. B., i.), was the modern Gwyneth, or North Wales. But there is no evidence that the name Gwyneth was given to this district in the

second century, and there is evidence that the name came in with a Kymric tribe who moved down from the north in the fifth century. Camden's Britannia, p. 508. Vestiges of the Gael in Gwyneth, by the Rev. B. Jones, p. 12.

ceased to pursue the march, and spared none whom they overtook. Severus retired to York, and strengthened the work of Hadrian with a new vallum. The fatigues of the late campaign were fast killing him; his last moments were disturbed with the news of a fresh incursion by the barbarians, and his last advice to his son was to extirpate the whole race mercilessly. That advice Caracalla neglected, and withdrew, leaving Britain to the care of its præfects.

CHAPTER III.

GOVERNMENT OF BRITAIN.

ROMAN GOVERNMENT OF BRITAIN. ROADS AND STATIONS OF TROOPS.
MUNICIPAL CHARACTER OF THE OCCUPATION. CITY ORGANIZATION.
COUNTRY DISTRICTS. DURABLE INFLUENCE OF THE ROMAN SETTLE-
MENT. ARTS AND CIVILIZATION.

FOR about a century and a half Britain was entrusted to the care of a single præfect. The success of Agricola, showed that the country was not too large for an undivided command. But as the Roman power struck roots it was found dangerous to entrust the charge of a warlike population to a possible candidate for the empire. In fact, the courage of the British troops under Albinus had almost won him the imperial diadem;¹ and Severus was not slow to profit by the warning. From that time two præfects were appointed, one of whom resided in Verulam, or London, and probably governed the country south of the Humber, while the other, whose official residence was in York,² held the more military command of the district between the Humber and the Clyde. In the fourth century the civil and military commands seem to have been divided. The civil government was entrusted to a vicar, under whom were five præfects in as many provinces.³ How-

¹ Herodian, M. B., p. lxiii.

² Wellbeloved's Eburacum, pp. 60, 62.

³ Pancirollus, Not. Imp. Occ., pp.

102, 103. The governors of the two northern provinces are distinguished as "consulares."

ever they were first constituted, the Roman divisions of Britain are the great territorial landmarks of our history. The country, before its conquest, was parcelled out among different tribes, who had come in on every side, and were struggling in the centre for supremacy. The Romans seem to have disregarded the limits of the existing kingdoms and the more natural features of mountain chains. Apparently, they took rivers as their landmarks. *Britannia Prima*, the first province, was the district south of the Thames, the Saxon Wessex under Egbert; *Flavia Cæsariensis*, between the Severn and the sea, was the Mercian kingdom of Offa; *Britannia Secunda*, west of the Severn, comprised Wales and the Welsh Marches; *Maxima Cæsariensis*, between the Humber and the Tyne, is the Northumbrian province of Deira; and *Valentia*, whose northern boundary was between the Frith of Forth and the Clyde, embraced the Lowlands of Scotland and Northumberland. Towards the end of the fourth century, *Valentia* seems to have been abandoned.¹ Nevertheless, the recollection of its old union with England was so stamped on the popular imagination that a claim of feudal allegiance attached to it, which was first asserted by the Northumbrian kings, and never finally given up till it became impossible to enforce it.

The roads were the first appliance in the mechanism of Roman government. In Britain, a distant and, for some time, a poor province, they were not constructed with the same massive solidity as the *Via Appia*; and it is only near the large towns that they rest on stone, or on a thick bed of concrete. Generally, the materials

¹ I infer this both from the fact that no troops are stationed in *Valentia* on the list of the *Notitia Im-*

perii, and also from the fact that *Rufus Festus* omits it from his list of provinces. *M. B.*, p. lxxi.

that came first to hand were taken; but in parts where gravel and stone were scarce the roads were made somewhat broader and higher at the top, to secure them against the effects of weather. Intended, primarily, for war, they went, as far as the country allowed, with unswerving directness of purpose from one point to another, and rather commanded than followed the track of commerce. Made and kept in order by forced labour, they climbed hills which it would have been simpler to skirt, and traversed morasses on piles. They were rather causeways than roads as we make them, except for railways; and their transverse lines of communication (*limites*) were often drained by fosses on each side. Their breadth varied from eight to twenty-four feet¹ in the North, and sometimes rose to sixty feet in the great highways of the South. In the second century the three legions stationed in Britain were quartered at York, at Chester, and at Caerleon.² The chief danger at that time was from the restless Caledonian tribes and the untameable Silures. Accordingly, two great roads connected London with the lines of Hadrian, one going westward to Chester, swerving east to York, the northern præfect's residence, and then going westward again to Bowness. This is the famous Watling Street, which was one of the king's roads in Anglo-Saxon times. A second road, afterwards Ermine Street, went north from London through Bedfordshire to York. A third passed through Colchester, Cambridge, and Lincoln, turned off to York, and then eastward to the Wall. Akeman Street, whose barbarous name commemorates the Bath waters,

¹ Roy's *Mil. Antiquities*, p. 108. Wellbeloved's *Eburacum*, pp. 146-148. Hussey, on the Roman Road from Allchester to Dorchester, p. 5. Longstaffe's *Durham* before the

Conquest. *Archæol. Inst.*, 1852, vol. i. p. 58.

² *Ant. Itin.*, 1, 2, and 12. Ptolemy, however, places the second legion at Isca of the Dumnonii (Exeter).

connected that city, through Speen and Wallingford, with London. The line from Chester to Caerleon, important as a military frontier, and because it led through a mining district, was fringed with Roman towns, while the Fosse way and the Ryknild way connected Lincoln and York with Bath and with the estuary of the Severn. From Winchester roads radiated to Porchester, Southampton, Salisbury, and Exeter; from Canterbury to Reculver, Richborough, Dover, and Lymne. Generally, the idea seems to have been to inscribe the midland and northern counties within a strong military network, and to leave Wales and the south-west, except in the district between the Stour and the Exe, pretty much outside the lines. Hampshire was secured by its vast wood reaching from the Stour to the Anton. Sussex, too, was isolated by the huge forest which stretched from Waltham to Henhurst, and from the Downs of Sussex to near Bromley in Kent.

In the fourth century the position of the Romans in Britain was changed. They had either cowed or assimilated the population of the four southern provinces. But Frisian or Saxon tribes had begun to threaten the coasts, and we find the littoral from the Wash to Atherington described accordingly as "the Saxon coast," and placed under the special charge of a Count of the Empire, of whose nine naval stations, garrisoned by seven thousand men, six were in Kent and Sussex. A second officer, called the Count of Britain, seems only to have discharged police functions in the settled parts of the country, as no cohorts are assigned to him. But the bulk of the forces were under a duke of the Britains, and some twenty thousand men placed at his disposal were quartered either along the line of Hadrian's Wall or on the Cumbrian coast; but, with scarcely an excep-

tion, at least as far north as Yorkshire or Lancashire.¹ Evidently the danger from the Caledonian tribes had become greater than ever, and the interests to be guarded in the north were too important to be neglected. For the bleak country between the Humber and the Tyne had a larger population under Constantine and Honorius than at any time since, till our own century; and nowhere are Roman remains so abundant or so magnificent. It was not only that soldiers and camp-followers made up in themselves an ever-growing multitude, but that jet, lead, and iron, were among the riches of the north which a civilized people appreciated and developed.

The first occupation of England had been through a series of desperate wars; and the type of every Roman city was the camp. An oblong or square area was intersected by two main streets, cutting one another at right angles (the north gates and east gates of Saxon times), and protected by massive walls from the fate of the first Claudian colony near Colchester. The nucleus of the town population consisted of legionaries, who obtained a settlement in return for their services; a motley array of traders and camp-followers grew up around these; while the old occupants were dispossessed and expelled by the new comers. Among the new citizens, the soldiers had been drafted out of every nation: Moors were settled at Watchcross, Spaniards at Pevensey, Dalmatians at Broughton; and these discordant materials were only moulded into a certain unity by their common service, the use of the Latin tongue and

¹ Pancirollus, *Not. Imp. Occ.*, p. 144. The *Notitia Imperii* was completed in the fifth century; but the part about Britain, at least, probably refers to an older order.

laws, and the presence of Roman traders and officials. To the last, therefore, these *colonists* remained distinct from the Britons of the country districts, although every year must have added a British element to the population. It is probable, also, that for a long time the towns retained their military character; as scarcely twenty memorials record the presence of quæstors or senators, of decurions or flamens.¹ During this period they were no doubt important as fortresses in the midst of an alien population, and as exemplars of Roman police and culture. They were busy with the stir of trade; they possessed the bath and forum, sometimes even the amphitheatre: but centres of corporate life, self-governing communities of citizens, they could not be in any true sense. Before the end of the Roman dominion they had probably changed their character; the warlike habits of the first colonists had given way to the arts of peace; the framework of civic institutions had been introduced, and the people left to govern themselves, perhaps by very *laches* of the imperial government. But the liberty which they had at last received wanted time and peace to strike root; they never seem to have risen to the spirit of independence which carried the cities of South Gaul triumphantly through the shock of invasion; their municipal constitution, their laws, their mercantile guilds, have all, indeed, been transmitted to us, with more or less change, through the stormy Saxon times; but they were informed with a new spirit, and disguised under new names. The præfects, scabini, and curiales of our old cities are no more connected by popular apprehen-

¹ Horsley only gives seventeen inscriptions of this kind, if we ex- clude two which seem military to a sevir and a signifer.

sion with the mayor, aldermen, and common council of our own times than Saxon architecture with its exemplars of Roman art. Yet, in fact, the constitution of our towns is as Roman as the bricks of St. Martin's church at Canterbury.

Taking the towns at the time when they became self-governing, though, of course, still subject to the Vicar of Britain and the five presidents of provinces, we may gather from inscriptions that there were at least three orders above the lowest. The equites, or gentry, represent the descendants of old Roman officers, who had settled down in civil life with hereditary rank, and with the privilege of owning from six to seven hundred acres of land.¹ Their rank designated these men as the class from whom the higher magistrates should be chosen. They differed, rather as a sub-division than as an order, from the decuriones, or *haute bourgeoisie*, whose unhappy dignity was either inherited or derived from a qualification in land of more than twenty-five acres.² On these men fell the whole duty of discharging the smaller and unprofitable municipal magistracies which their superiors disdained; by them all arrears in taxes were made good; and when their rank, which had once been coveted and applied for, fell, through these burdens, into disrepute, they were not suffered to throw it up, or to live at a distance upon their farms, or to take refuge in the camp or the church from their responsibili-

¹ Coote's *Neglected Facts in English History*, pp. 40-45.

² Guizot, *Civilization en France*, Leçon 2^{ème}. But the amount probably varied at different times. Pancirollus quotes a passage from Pliny which seems to show that in his time it was 100,000 nummi, or

one-fourth the qualification of an eques (*De Magistratibus Municipibus*, cap. 2). From a law of Valentinian, forbidding the decurio to sell land without leave, it seems that in the fifth century the qualification was in realty. Cod., lib. x. tit. 33. p. 1.

ties.¹ Yet so jealously was their social position guarded, that if a decurio married a slave he was transported, his wife sent to the mines, his property confiscated, and even the owner of the slave, if guilty knowledge could be proved, paid the fine of his whole estate.² It is probable that in the larger cities a common council of "principales" was formed from this class to transact business; but in great emergencies, perhaps in great law cases, the whole body of those qualified was convened. Any one neglecting to attend this "comitatus," or quitting it without permission from the judge who presided over it, exposed himself to a heavy penalty.³ The chief magistracy was administered by consuls, præfects, or duumvirs, who varied in number from one to four. They were named by the privileged class, appointed for short terms of office, and their nomination was confirmed by the emperor, or perhaps in Britain by the vicar. Their jurisdiction, in civil matters especially, in the later times of the empire was restricted to inferior cases; but they seem often to have acted as umpires. In criminal cases they could scourge, imprison on suspicion, and set free; and during their tenure of office no action could be brought against them.⁴ The city protector (*defensor civitatis*) seems to have been designed, at first, for a people's advocate, or tribune, and was then chosen from the ranks below the decurions. Gradually this distinction was destroyed, and he passed into a sort of police magistrate, hearing causes in the country districts attached to the town, and issuing

¹ Codex, lib. x. tit. 3. c. 1. pp. 26-55; lib. xii. tit. 34. p. 2; lib. x. tit. 37.

² Codex, lib. v. tit. 5. p. 3.

³ Codex, lib. x. tit. 31. p. 16.

⁴ Pancirollus, *De Magistratibus Municipalibus*, cap. 8.

warrants to enforce the collection of taxes.¹ Cases of importance in all, except military, matters went up to the vicar. To the vicar, again, the question of levying any new impost was referred.² The towns, as a rule, only spent the money brought in by the contractors, who farmed the taxes of the empire, and whose privileges were enforced by the most stringent penalties.³ The curators, or municipal stewards, receiving the rents and dues of the corporation, and the ædiles who controlled public works, but whose office was regarded as contemptible, are found universally in the towns of the empire, and may be assumed to have existed in Britain.⁴ Below the magistrates and the privileged classes was the great bulk of the commonalty (*plebs*). The importance of the trade corporations may be judged from the fact that no fewer than thirty-four varieties are known to have existed in the empire, varying in importance from physicians and sculptors to carpenters and potters.⁵ They were, probably, not as numerous in Britain, where the only inscriptions found relate to smiths and wood-carriers, and where the wants of the few large proprietors might easily be supplied by trained slaves in their own households.

¹ "In defensoribus universarum provinciarum erit administrationis hæc forma, scilicet ut imprimis parentis vices plebi exhibens, descriptionibus rusticos urbanosque non patiaris affligi, etc." Codex, lib. i. tit. 55. p. 4.

² Codex, lib. iv. tit. 62. pp. 1-3.

³ For instance, any one buying or selling salt, without authority of the contractors, was to have it and the money paid for it confiscated, even though he pleaded an imperial rescript. Codex, lib. iv. tit. 61. p. 11.

⁴ Juvenal, Satire x. l. 112, speaks

contemptuously of "the ragged ædile;" but more respectfully, Satire iii. l. 162-179. Tertullian makes "ædilitas" his contrast to "tyrannis." Apologia, cap. 46. A rescript of Diocletian forbids slaves to perform the duties of ædile. Codex, lib. ix. tit. 32. p. 2.

⁵ Pancirollus, De Corporibus Artificum. From a curious passage in Tertullian we learn that such a society as the Christian Church was subject to the law of corporations, "licitæ factiones." Apologia, cap. 38.

The country districts (*pagi*) were annexed to the different towns, and presided over by special magistrates, district præfects, or masters, whose duty it was to collect the taxes and raise the quota of recruits.¹ Under these, probably, were eirenarchs, or village bailiffs.² The population was chiefly composed of husbandmen in every degree, farmers, paid labourers, or slaves; but all equally bound down to the soil. For purposes of taxation it was most important to the state that the boundaries and population of farms should remain always very much the same, so that no dues might be lost to the treasury, nor the difficulties of a fresh assessment incurred. Accordingly, an estate was treated as a whole (*soliditas*), the very parts of which were inalienably one with the families living on them, and no man might separate serfs and land in a sale.³ Again, a stringent law enacted that all receivers of fugitive husbandmen, if privity could be proved, should pay twelve pounds of silver to the imperial treasury, and restore the man, with another of the same value, to his owner.⁴ Land itself was charged with heavy dues. In Britain, where there was very little freehold, all having been confiscated by the conquerors, the tenant was bound to pay tithes on all his produce to the state. It was one duty of the *defensor civitatis* to see that these assessments were not excessive.⁵ Further, all land was liable to at least two out of three requirements in what was afterwards known as the triple obligation. The keeping up of the main or cross roads (*viæ militares*, or

¹ Coote's Neglected Facts in English History, p. 66.

² Pancirollus, De Magistratibus Municipalibus, cap. 18. Digest, lib.

1. tit. 4. p. 18. s. 7.

³ Codex, lib. xi. tit. 47. p. 7.

⁴ Codex, lib. xi. tit. 47. p. 8.

⁵ See ante, note 1, p. 47.

vicinales), and the maintenance of bridges, aqueducts, and walls, throughout the city district, were amongst the first necessities of government.¹ The furnishing conscripts was at first a charge on persons, not on property; and as in Anglo-Saxon times it took the form of service in a free militia, it is difficult to identify it with Roman practice, by which the proprietor furnished a certain quota of able-bodied men, while all classes were forbidden to carry arms.² A burden that might be most oppressive was the furnishing supplies to great persons on their progresses: the purveyance of later centuries. Except the higher classes and a few professional men, none were exempt from the liability to have a great man's retinue or soldiers quartered upon them.³ As the necessities of the state increased fairs or markets were instituted, commonly on Sundays, to which the country-people were obliged to carry their produce, paying toll at the city gates.⁴ There were other vexatious imposts, such as the tax on salt, which was farmed out to almost autocratic contractors. Forests were part of the imperial demesne, and forest-laws were enforced.⁵ But,

¹ Codex, lib. viii. tit. 12. p. 12. Cf. *Tabula Heracleensis*, Blondeau, vol. ii. pp. 81-83. Even the clergy could not obtain exemption under the empire. Novellæ, cxxxi. cap. 5.

² "Tironum productio . . . personæ munus est." Digest, lib. i. tit. 4. p. 18. s. 3.

³ "Sunt munera quæ rei propriæ cohærent, de quibus neque liberi neque sætas nec merita militiæ nec ullum aliud privilegium jure tribuit excusationem ut sit . . . hospitii suscipiendi munus." Digest, lib. i. tit. 5. p. 11. Paulus, however, held that soldiers and professors of the

liberal arts were exempt. See p. 10, in the same chapter. A rescript of Valentinian's, attempting to stop an abuse that evidently existed, declares that any powerful official working a farmer's labourer or ox shall be fined in all his property and exiled; the same penalty to be incurred by the consenting countryman. Codex, lib. xi. tit. 54. p. 2. For a striking example of Roman purveyance, see Pliny, *Epist.*, ix. 33.

⁴ Codex, lib. iv. tit. 60; tit. 61. p. 5.

⁵ Compare Codex, lib. xi. tit. 66. pp. 1, 2, for rescripts of Valentinian

above all, the social condition of all classes under the empire was most miserable. The upper classes were scarcely protected, by stringent enactments of the central power, from forced marriages with creatures of the provincial government.¹ The artizans were forbidden to combine that they might raise the price of labour.² The freedman who tried to marry his patron's wife or daughter was to be sent to the mines.³ The ungrateful freedman might be enslaved again.⁴ The labourer (*colonus*) could not bring a civil action against his master.⁵ The tavern-keeper had no action for his wife's adultery, and the serf no redress if his daughter were violated. The law expressly declared that it only protected the purity of well-born women.⁶ For the escaped serf there was no prescription of time in favour of liberty.⁷ In a word, the worst features of feudal times had been codified, long before Saxon or Norman conquests, by the pitiless intelligence of Roman lawyers.

Bad as all this was, it was better than barbarism. The system repressed civil wars, not, indeed, because they were wicked, but because they were wasteful. The roads constructed for troops became the highways of trade. The military colonies were schools of municipal

and Honorius, ordering all sheep or horses found pasturing in the demesne forests to be confiscated, and the limits to be kept free from encroachment, with a rescript of Honorius, (Codex, lib. xi. tit. 44), giving special permission for lions to be killed.

¹ So great, apparently, was the evil, that an appeal was given from the vicar himself to the ordinary judge. Codex, lib. v. tit. 7.

² Codex, lib. iv. tit. 59. p. 12.

Compare Trajan's prohibition to Pliny to found a College of Smiths. "Hæteris quamvis breves fient." Pliny, Epist., lib. x. 42, 43.

³ Paulus, lib. ii. tit. 19.

⁴ Codex, lib. vi. tit. 7. p. 2.

⁵ Codex, lib. xi. tit. 49. p. 2.

⁶ "Hæ autem immunes a judicaria severitate et stupri et adulterii præstentur quas vilis vitæ dignas legum observatione non credidit." Codex, lib. ix. tit. 9. pp. 23, 29.

⁷ Codex, lib. vii. tit. 22. p. 1.

organization and Roman law. The meetings of the *decuriones* passed gradually into Saxon *gemots*, and trained the nation for parliamentary life. The *basilica*, or *cour de justice* was transformed in Saxon times into the Guildhall, where questions of law and fact came in later centuries to be again decided on a transfigured Roman original, the *judex* or judge of fact multiplying into the jury. Here the link of continuity was broken. But in all matters of police and sales in towns the practice of Roman times lasted into Saxon centuries. The feudal distinctions of rank, the lord, the vassal, and the serf, are all continued as the Saxons found them when they came. Considering what the German civilization was in the times of Charlemagne, and how little the Danes attained to in their own country, it is scarcely too much to say that we owe a vantage-ground of six centuries of inherited law and culture to our Roman conquerors.

// The life of Roman colonists in Britain was, of course, much the same as that of Romanized citizens elsewhere. They brought into England the manufactures in which they anticipated 1400 years of Germanic civilization—the tinted glass, the Samian potteries, and the sculptured bronze. They were skilled in the tricks of trade; the inscribed boxes of their quack medicines are still disintegrated; spurious coin is found in quantities that induce us to regard it as a device of the imperial treasury; and locks, with contrivances in the wards which have been re-invented and patented in the last thirty years, attest alike the art of their thieves and of their smiths.¹ Roman bricks and mortar have furnished inexhaustible materials for Saxon towns, Norman castles,

¹ Roach Smith's *Antiquities of Richborough*, p. 102.

and even for English farm-houses. The great number of the Roman villas whose remains can still be traced is a proof that the lords of the soil were in easy circumstances; while the fact that the structures were commonly of wood, raised upon a brick or stone foundation, is an argument against large fortunes.¹ Probably no rich man would have chosen to spend his life so far from Rome, and under a British sky. Nor can the towns have been magnificent, even in cases like Silchester, where the walls enclose an area three miles in circuit. The amphitheatres, still known to us, never equal the colossal dimensions of those of Verona or Treves,² and only one instance is at present known in which the sides are not apparently of turf. The houses were probably thatched.³ And except where the main streets ran, giving passage for horses and troops, the Roman towns were probably grouped in continuous masses of buildings, intersected by narrow alleys⁴ like modern Venice. In some sanitary details the civilization of several cen-

¹ See King's *Munimenta Antiqua*, vol. ii. p. 163. Generally speaking, English villas are inferior to those of the continent, both in size and in the magnificence of their remains. But there are remains of brick and stone highly ornamented on the line of Hadrian's vallum, especially at Borcovicus (Housesteads). Well-beloved's *Eburacum*, p. 61.

² Probably, however, some have been destroyed or covered up, as Giraldu*s Cambrensis* speaks of "*loca theatralia muris egregiis partim adhuc extantibus*." *Itin. Camb.*, c. 5. But their dimensions are more certain, and are never very large.

³ They were so at Rome itself till the time of Nero. Merivale, *Ro-*

mans under the Empire, vol. vi. p. 171. There is a legend that Cirencester (*Gir. Camb.*, *Top. Hib.* p. 749,) was set on fire by sparrows with lighted matches tied to them, whom the native tribes, unable to storm the walls, collected and let fly. Tiles, however, must have been used as well. That splendid fragment of Anglo-Saxon poetry "*The Ruin*," speaks of "*the purple arch with its tiles*." *Codex Exoniensis*, p. 477.

⁴ "*Vicinus meus est manuque tangi*

De nostris Novius potest fenestris." *Martial*, lib. i. *Epig.* 77.

turies had told upon the customs of the people. Large sewers, large aqueducts, and extramural interment, are common features. At first the bodies of the dead were burned, and their ashes preserved in mortuary urns. In the third or fourth centuries the Christian belief in the resurrection of the body caused the old Roman practice of interment to be revived. But no kindly superstition was allowed to sanction burial in the crowded thoroughfares of the cities; the dead body, often covered up with lime, was carried out of the gates; and the great highways were lined with tombs, whose inscriptions appealed to the passer-by for sympathy.¹

But the traveller in Roman England, who wandered away from the main road, or from the cities, would find himself among villages which had known little change since the days of Cunobelin. Probably to the last, native chiefs, like Cogidubnus of Chichester, were allowed to retain the shadow of their old royalty, and enjoyed the loyal allegiance of their clans.² Between the British gentry and the Roman officials and merchants there would be constant intercourse in the towns, and at last frequent intermarriages. It is just possible that in such a county as Kent, which lay in the line of traffic between Britain and Gaul, the old British tongue died out, and was replaced by a debased Latin, like that

¹ Wellbeloved's *Eburacum*, pp. 96-116.

² Mr. Akerman has shown ground for supposing that money was coined by several native princes under the Romans, e. g. by Bodroc in Gloucester, and by Veric in Sussex. He thinks, however, that these dynasties soon died out or were dethroned. *Archæologia*, vol. xxxiii. I imagine them to have remained in

the country with a certain titular rank from the Romans, and intrusted with the jurisdiction of their own districts. In the two cases cited, Veric's kingdom of Sussex and Hampshire is precisely one of the parts of England most barren of Roman remains. And in the fifth century, Vortigern is represented as the heir of a line of princes established at Gloucester. Nennius, c. 49.

spoken in the towns, and in which inscriptions are found in the western counties. The barbarous Welsh tribes were probably least affected by Roman rule; yet the terms of civilization in Welsh are commonly from a Latin¹ original. But to account for the great admixture of British words in Anglo-Saxon² and in English, we must assume that the natives mostly retained their ancient tongue. The argument is even stronger if we look at literature. The Roman legislation favoured schoolmasters, whom the præfect was charged to care specially for that they might not be burdened with civic offices beyond their ability, and we have an incidental notice of one Briton whose father was said to have been of this profession.³ It is certain the Roman authors were read in England, and we still possess a "Juvencus" which was once the property of a young Pictish officer. Yet so rare and superficial was this culture that Britain produced no single poet or rhetorician to rival the Gaul Sidonius, or the African Tertullian. Only the name of one obscure epigrammatist has been embalmed for us in the verses of a rival.⁴ And when the conquerors disappeared, a race of native poets sprung up,⁵ whose complicated system of rhymes, and alliterations,

¹ Such as words connected with government, like "carchar," a prison, "terfyn," a boundary; and "coron," a crown; words connected with building, such as "pont," a bridge; "gwall," a wall; "ffos," a ditch; "porth," a gate; "ffenester," a window, and "pinygl," a pinnacle; words of weight and measurement, "punt," a pound; "llyn," a line; "mil," a thousand; "cant," a hundred; words of education, "ysgol," a school; "grammadeg," grammar;

and words of common life like "sebon," soap; "dysgl," a dish; and "canwyll," a candle. The examples given mostly occur in the *Brut y Tywysogion*, and are therefore not of modern mintage.

² See p. 102.

³ Vopiscus, M. B., p. lxvi.

⁴ Ausonius, M. B., p. xcvi.

⁵ Zeuss refers this system of versification to the fifth and sixth centuries. *Grammatica Celtica*, vol. 2. vi. 2.

and antithetical couplets, presents the most exact contrast conceivable to the stately hexameters of Virgil or the graceful trochaics of Catullus. The laws of Rome, it may be thought, would strike root more easily than the language. They, of course, prevailed in the towns, and in the more settled parts of the island. But in the Welsh codes that we possess, whatever be their antiquity, there is no immediate trace of the Pandects; while the Keltic custom of Borough-English, by which property devolves to the youngest son, has lasted down to historical times in our own country, and has seemingly been transplanted from England to Brittany. To make a bridge or cast a bell was the great feat of a Welsh saint in the fifth century. The cromlechs, or sepulchral monuments of the Britons are known, from the trinkets and coins found in them, to have been erected during the period of Roman dominion.¹ More striking evidence could not be wished of the barbarism, or, if a milder term be preferred, of the stubborn nationality, of the tribes in the country districts. They saw around them the marvels of Roman architecture and sculpture, the arch, the statue, and the bas-relief, and they preferred to overshadow the grave with the largest stone they could find in the neighbourhood. Three stones, so placed as to bridge a space, are the highest achievement of native sepulchral art.

To sum up all, then, the occupation of Britain by the Romans was like the French colonization of Algeria, with the differences of a long and a short tenure. The government was military and municipal; the conquerors unsympathetic and hard. But the peace which they enforced favoured commerce; and the mines which

¹ Wright's *Celt, Roman, and Saxon*, p. 61.

they developed were prolific in salt, iron, tin, and lead. They burned coal where wood was scanty in the north, and in one instance carried a mine under water.¹ Under Julian,² (A. D. 358), eight hundred vessels were employed in the corn-trade between the English coasts and the Roman colonies on the Rhine. Before Cæsar's time even the beech and the fir had been unknown in our forests;³ and the apple, the nut, and the raspberry were probably the chief of our native fruits.⁴ The better half of our common trees, from the cherry to the chestnut, are of Roman origin; the vine and the fig-tree were introduced, and maintained themselves; the pea, the radish, and other common vegetables were then added to the garden; and it is even possible that to Rome we owe the rose, the lily, and the pæony. The mule and pigeon followed the track of the legions.⁵ Yet a country life was not that to which the colonist generally inclined. He was rather a dweller in towns, a trader, and a builder, and he scattered cities broadcast over the island. The splendour of Roman remains attracted attention in the twelfth century, when the grass was growing over them, and generations had already quarried in them for homes. Above all, those numerous cities had been centres of Roman polity and law. These influences can hardly be overrated, nor can it be doubted that many of them remained, and even gathered

¹ Bruce's Roman Wall, pp. 441, 442.

² Zosimus, iii. 145.

³ Cæsar, De Bell. Gall., lib. v. c. 12.

⁴ The apple (afall), the nut (corenen), and the raspberry (afanen), have distinctly Keltic names; as also have the oak, the lime-tree, and the birch. The cherry, Pliny tells us, was introduced. Hist. Nat., lib.

xv. s. 30. Roman names meet us for the pear (peran), the mulberry (mor), the laurel (llor), the chestnut (castan), the pine (pin), the poplar (poplysen), the pea (pys), the radish (rhuddigl), the cabbage (cawl), the parsley (perillys), and the flax (llin).

⁵ Welsh names, "mul" and "colomen."

strength, where all seemed to be swept away. For good or for evil, England was henceforth a part of the European commonwealth of nations; sharing that commerce for want of which Ireland remained barbarous; sharing the alliances for disregarding which the Saxon dynasty perished; penetrated by ideas which have connected the people in every historical struggle, crusades and French wars, with the sympathies and hopes of other men.

CHAPTER IV.

DECLINE OF THE ROMAN DOMINION.

CAUSES OF WEAKNESS IN THE EMPIRE. REVOLT OF CARAUSIUS. CONSTANTIUS AND CONSTANTINE. THE ROMAN WALL. REVOLTS OF MAXIMUS AND CONSTANTINE. BRITAIN LEFT TO ITSELF.

DURING the third century the Roman empire was fast breaking up. It had succeeded in weakening the nationality of its subject peoples, but it had not moulded them into citizens; they were provincials, not Romans. In fact, it was no object of the emperors to revive traditions of the Republic, or excite an enthusiasm for the old Roman greatness that must have ended in the desire of the old Roman liberties. Every institution of the empire tended to replace the idea of a common country, by the phantom of a central authority, against which combination should be impossible. Citizenship, indeed, was forced upon all, and the old distinctions of separate franchises were annulled; but then citizenship, in the third century, meant only the obligation to pay taxes, and not the right to make laws, or to hold office. Foreign officers led the legions, foreign consuls assembled the senate, and the emperor himself was often sprung from the obscure blood of races¹ whom

¹ The parents of Diocletian were Illyrian peasants. Maximin was a Dalmatian slave; those of Probus, Thracian peasant, of Gothic origin.

the old Roman patricians had only considered fit for the amphitheatre. Above all, society was split up into several castes. A small aristocracy of office, and a pariah population of slaves were the two extremes. Between these, as we have seen, came the decuriones, whose only duty was to produce wealth, and pay taxes on it to the treasury. That these men might neither be soldiers nor Christian priests,¹ except by express permission, implied in itself that the empire did not desire its citizens either to carry arms or to take other service than its own. Inaction and timidity were therefore forced upon the middle classes, at the very moment when the Goth was at the gates of the empire. Meanwhile, the legions were a separate society; recruited from the few country districts of Italy where a peasantry still remained: but still more from military colonies and from barbarous tribes. They were subject only to their own tribunals, and encouraged by these in a soldatesque license against civilians; the very title of the head of the state, imperator or general, seemed to justify the pretensions of the troops to supersede the senate and name their sovereign.

Under these circumstances, it is not wonderful if Britain, the most remote and military province of the west, was the one in which pretenders to the crown² were most frequently set up by the legions. Already, in A.D. 277, Probus had thought it expedient to settle Burgundian and Vandal colonies in the island, with a view of dividing the forces of any future revolt, yet only ten

¹ Guizot's *Civilisation en France*, Leçon 2^{ème}. Cf. Cod., lib. xii. tit. 35; xi. tit. 46. If they evaded the prohibition, "Per xxx et innumeros annos presbyteri quidam gradu func-

ti vel ministri ecclesiæ, retrahuntur munere sacro et curiæ deputantur." Amb., Epist. xl. p. 29.

² "Britannia fertilis provincia tyrannorum." St. Jerome, epist. 43.

years later, under Diocletian, Carausius, a Menapian or Belgo-German by birth, had almost succeeded in establishing an insular royalty. A sailor by profession, he had been entrusted with the defence of the coasts of Britain and North Gaul, against the Frisian pirates. But as he never overtook their fleets, until they had done the work of havoc, and never restored the plundered wealth to the provincials, it was thought he acted in concert with the enemy; and instructions were given from Rome to put him to death. Carausius heard of the orders in time to escape into Britain, assumed the purple, and usurped the empire. The Roman legion then in the island seems to have acquiesced sullenly in a revolution it could not defeat.¹ A more reliable army was constructed of a few auxiliary cohorts who were taken in detail and absorbed, and of foreign mercenaries, who flocked to serve under a countryman, and to enjoy the rich pay drained from the province. Even merchants from Gaul were drafted into the ranks. But the strength of the usurper was in his fleet, which commanded the British seas and hurled the imperial galleys back upon Gaul. Maximian was baffled for a time, and a peace was concluded which left the rebel in possession of Britain, and with the title of emperor. Carausius seems to have governed with great ability. He drove back the northern tribes, who were plundering Valentia; and bridled the country with seven forts along the lines of Antonine.² He is commemorated in Irish legend as

¹ I infer that the Roman soldiers did not support Carausius heartily, from the antithesis in the words of Eumenius, "*occupatâ legione Romanâ . . . sollicitatis per spolia ipsarum provinciarum non mediocribus*

copiis barbarorum." Again, in the final battle against Allectus, scarcely any Roman by birth was slain. Eumenius Panegyricus, M. B., pp. lxvii. lxviii.

² Nennius, p. 19.

Caros, king of ships; and a probable tradition¹ says that he brought over some of the conquered Gwyddelian Picts, and settled them in the rescued but desolated northern districts. He was not destined to found a royal line. The prestige of victory left him when Constantius, the newly adopted Cæsar, took Boulogne, the stronghold of the British fleet. The usurper fell by the hands of Allectus, one of his officers, (A. D. 294), and the island, left without a capable head, was soon retrieved to the empire by a successful enterprise. Constantius passed the British fleet in a fog (A. D. 296): burned his ships as soon as he landed, and marched boldly upon London. The Roman legionaries of Britain do not seem to have been brought into the field; they probably could not be trusted. The Franks, who composed the staple of the rebel force, were routed in the field; and when they attempted to fire and plunder London in their flight, were cut to pieces in the streets.

Constantius is described as a mild and sensible man. The presence of his imperial court was no doubt grateful to British pride, and a source of profit; his mild enforcement of the Diocletian persecution, and the fact that the first Christian emperor was his son, have been titles to the favour of ecclesiastical historians. But, except one expedition against the ever-restless Caledonian tribes, Constantius achieved nothing memorable before his death at York, A. D. 306. His son, the famous Constantine, is the one historical instance of a British *tyrannus* who became emperor of the whole Roman world. For it is important to observe that the true tyrant was not an adventurer like Carausius, con-

¹ Herbert's *Britannia after the Romans*, vol. i. p. 11.

tented with a separate kingdom; but a rival emperor, with all the insignia of office, with a senate, consuls, and lictors, maintaining the tradition of a Roman empire, one and indivisible.¹ His nearest parallel is to be found in the antipopes of Latin Christendom. In this imperial fiction lay the strength and the weakness of every revolt: it carried the soldiers with it, but it never stirred the pulses of national life. The fact, however, serves to prove how completely the existence of universal empire had already been confounded with the right; and explains the affectation of Roman titles for centuries after the eagles had left the island. It was partly a dim sense of legality, an uneasy feeling that all dominion was derived from Rome, that led the Saxon kings of the tenth century to call themselves *basileus* and *imperator* in their charters.

The history of Constantine, when he had once set out on the expedition that laid the world at his feet, is of no especial importance for the secular aspects of Britain. The island enjoyed a peace of some fifty years, only broken by the revolt of Magnentius, A. D. 350, whose British birth perhaps enlisted the sympathies of his countrymen, and by a bloody inquisition, conducted by a covetous Roman notary, as to the authors of the revolt. Under Julian, A. D. 360, and his successors, we hear constantly of renewed invasions from the Picts and Scots, with whom the name of the Saxons² begins to be joined. Once, at least (A. D. 367), by a concerted rising the barbarians laid the whole country at their feet. Ful-

¹ Thus Sozomen says that Maximus invaded Italy "in order to clear himself from the imputation of being a tyrant . . . and anxious, if he could in any way, to seem to possess

the sovereignty of the Romans constitutionally and not by force." Lib. vii. M. B., p. lxxxix.

² Ammianus Marcellinus, lib. xxvi. c. 4. M. B., p. lxxiii.

lofaudes, duke of Britain, was shut in by superior forces, and Nectaridus, count of the Saxon coast, was slain. Theodosius, landing with reinforcements, found the country between Richborough and London covered with marauding troops, who were driving before them cattle and captives for the slave-market. On this occasion an ample vengeance was taken. But the island was never safe from forays that threatened the people with the worst miseries of war. It was in one of these inroads that St. Patrick and his two sisters, well-born,¹ gently nurtured, and mere children, were carried off and sold into different countries: the future apostle to tend swine; his sisters to endure the passion and caprice of their owners. It is probable that the famous wall, called Hadrian's, was erected under these conditions of life and during this century. It was the natural defence of a timid people against marauders. Taking a parallel course to the lines of Hadrian and Severus, it scaled the most difficult mountain cliffs, and planted towers and ramparts twenty feet high, in a country so bleak and rugged that a hundred and twenty years ago no road traversed it.² Behind this and the walls of their cities, the descendants of the

¹ If the details of St. Patrick's life are at all reliable, his mother was sister to St. Martin of Tours, and Pope Celestine was his godfather. The foray is said to have taken place A.D. 388. Marianus, quoted Flor. Wig., vol. i. p. 3. n. 3. Cf. *Annales Tigernachi*, A. D. 388.

² Mr. Merivale's arguments (*Quarterly Review*, vol. cvii., "The Roman Wall") as to the date of the wall of Hadrian (so-called), seem to me conclusive, especially as I attach higher weight than he does

to the evidence of Gildas and Bede. Traditions of this sort, however wrong in detail, are commonly right in the main points; and the main points here are that the wall was subsequent to the vallum, and was made by Britons under Roman superintendence to save the north from forays. Nor can I understand why while Valentia was Roman, that is, till the fourth century, anything more than strong military lines to fall back upon should be needed.

fierce Brigantes awaited in terror the inroads of their unconquered countrymen, and looked for protection to the foreign legionaries, who plundered and insulted them, but who still remained faithful to the Roman labarum.

The fall of Roman Britain was precipitated by the insurrection of Maximus, whose excuse was that he dared not refuse the purple which the troops offered him. An Iberian by birth, Maximus had married a British lady; his family were settled in their mother's country, and his fortunes, varied in a thousand ways, have been the subject of a cycle of Welsh legends.¹ Supported by the sympathies of his adopted fatherland, Maximus succeeded in raising a large number of British recruits, and passed over with these, and with the flower of the Roman army, into Gaul. Partly, perhaps, influenced by his wife, who was a zealous follower of St. Martin, bishop of Tours, Maximus tried to give his struggle an ecclesiastical character; and after a few years' sovereignty in Gaul, marched into Italy to put down innovations in church matters. He was defeated and slain at Aquileia, (A. D. 388). Unfortunately for Britain, his native recruits never returned to the island. Some had fallen in fight, others had been settled in Armorica; and the island, thus deprived of its natural defenders, was more than ever the prey of barbarous foes.

Neither could it be hoped that Rome, unable to defend herself, would protect her provincials. In the

¹ The Dream of Maxen Wledig (Guest's *Mabinogion*, vol. 3), is an obvious and splendid instance of these stories. I believe Arthur's conquest of Gaul and Italy, as told in Geoffrey of Monmouth, is derived

from the same original. British fancy was profoundly impressed by the conception of an expedition under a prince naturalized in the island against the imperial city.

desperate rally which Stilicho made, we find him, indeed, contriving to send an additional legion into the island, (A. D. 396). But it was withdrawn six years later, having only driven back the Picts and Scots into their fastnesses, and assisted the Britons to complete or repair the wall. The island, however, was still nominally Roman, and garrisoned by a few companies of troops who were well affected to the empire. But in A. D. 407, these men seem to have been panic-struck by the rumours that a barbarous league of Vandals, Suevi, and Alani, had overrun Gaul, and meditated the conquest of Britain. In a hasty instinct of self-defence¹ the soldiery elected two tyrants to head them against the enemy, and murdered them when they proved incompetent for their duties. The third time the choice fell upon a common soldier, Constantine, who took care to occupy his dangerous subjects with an expedition into Gaul. Fortune favoured him; a great victory gave Gaul into his hands; and his son, Constans, whom he withdrew from a monastery, succeeded in recovering Iberia. The emperor, to whom Constantine had apologized for the treason forced upon him, appeared for a time to admit the excuse,² and accepted him as a partner in government. But the alliance was dissolved on the first opportunity. A treacherous general, Gerontius,³

¹ Zosimus, lib. vi. chap. 3, distinctly states that the troops elected these emperors through fear of the barbarians: *δέ ει του μη και σφας προσελθειν.*

² Olympiodorus, M. B., p. lxxv.

³ Gerontius was soon afterwards attacked by mutineers, and slew himself, his house being set on fire. His story, like that of Maximus, has

passed into British legend. Under the name of Vortigern, he is represented by Geoffrey of Monmouth as conspiring against the royal family of Britain, dethroning the monk Constans, and finally as burned to death by his subjects. The connecting links between the two stories seem to be, that Gerontius was a Britain by birth, and that he called

slew Constans, (A. D. 411); and his father was captured, and put to death by the troops of Honorius. Britain, however, did not revert to Rome, for Honorius was in no position to pursue his victory. The great results of Constantine's struggle had been, that a barbarous invasion from Gaul was warded off, and that Britain was left without soldiers to direct its own destinies. The native tribes, the foreign settlers, the Roman colonists, in the towns, were left without an army, without imperial taxes, without any central government. They differed among themselves in traditions, faith, language, and ancestry. Yet for the majority among them, who had at least the habit of Roman culture, union of some sort was a necessity, if they wished to preserve all upon which the happiness and self-respect of society are founded from the lust and riot of barbarian conquerors.

in barbarians to assist him in his revolt against Constantine. But the language of Zosimus, τοὺς ἐν Κέλταις ἐπανίστησι Κωνσταντίνῳ βαρβά-

ρους, can only, I think, refer to the German bands not yet driven out of Gaul. Zosimus, lib. vi. chap. 5.

CHAPTER V.

THE EARLY BRITISH CHURCH.

DOUBTFUL HISTORY OF THE EARLY BRITISH CHURCH. REASONS FOR AND AGAINST ITS EXISTENCE. CHRISTIANITY NOT ROMAN IN ITS ORIGIN. BARBAROUS AND SEMI-PAGAN CHARACTER OF EARLY BRITISH CHRISTIANITY. NEO-DRUIDISM.

DURING the third and fourth centuries the most momentous change of opinion that the world has ever witnessed had ripened by a silent growth in the empire. The Christian religion, at first professed chiefly by the poor, had penetrated¹ the middle classes of society. Africa, Greece, Asia, and, in a lower degree, Gaul, were the chief seats of the movement which threatened and finally overcame the gods of Rome and the different local faiths, rather from the intensity of belief which animated the converts, than from their numbers, position, or intelligence. It is natural to suppose that the Church, which triumphed under Constantine, was already organized and powerful in the island which his father had reconquered, and from which Constantine himself started on the expedition which replaced the eagles by the labarum. Yet the early history of Rome is not more pregnant with mystery and fable than are the antiquities of the British Church.

¹ Thus Tertullian *ad Uxorem*, lib. ii. p. 171. "Sordent talibus (i. e. divitibus matronis) ecclesiæ." And Cyprian speaks of the wealth of the

Christians as a snare, and as a reason for charity. *Cypriani Opera: De Lapsis*, pp. 182, 191; *De Opere et Eleemosynis*, p. 241, ed. Baluzii.

The silence of contemporary history reduces all inquiry to the level of conjecture; and while a school is still found to believe in a primitive Church of pure doctrine and apostolic ancestry, more than one experienced antiquary denies that there was any Church at all.¹

The extreme views, positive and negative, may briefly be stated thus. Traditions of great antiquity ascribe the preaching of the Gospel to St. Paul or one of his disciples, or to St. Joseph of Arimathæa.² That British doctrine would be derived from the East is in itself probable, as the track of commerce from the English ports pointed through Marseilles to Syria. In the seventh century the British Church differed from the Roman as to the day on which Easter fell, and defended its practice by the authority of St. John and of Anatolius.³ While the evidence thus far points to an early origin, a number of concurrent facts seems to prove the existence of Christian converts under the emperors. The wife of Plautius, sometime præfect in Britain, was tried, about A. D. 61, before the family tribunal, on a charge of "deadly superstition," and the terms employed have been thought to recal the language of early heathen writers against the Christians.⁴ The Pudens and Claudia whom St. Paul mentions (2 Tim. iv. 21) have been identified with Pudens, a young Roman officer, who found shelter after shipwreck at the court of King Cogidubnus at Chichester, and Claudia, the king's daughter, who married her father's

¹ Wright's *Celt, Roman, and Saxon*, c. 9. Quoted approvingly by Mr. Merivale, *Quart. Rev.*, vol. cvii.

² For St. Paul's mission, Venantius Fortunatus seems to be the best authority (A. D. 580). *Vita S. Martini*, lib. iii. *carm.* v. l. 24. Ariston-

bulus, his disciple, is given in the *Menology*, die xvi. Martii. The legend about St. Joseph Usher thinks not older than the Norman Conquest. *Eccles. Brit. Antiq.*, cap. 2.

³ Bede, *H. E.*, lib. iii. c. 25.

⁴ Tacitus, *Annal.*, xiii. 32.

guest.¹ A Welsh tradition, current in the seventh century, speaks of a native prince, Lucius, who sent envoys to Rome, about A. D. 156, "beseeching Pope Eleutherius to issue a mandate that he might be made a Christian."² The names of three martyrs who suffered a century later under Diocletian have been preserved, and a nameless number are said to have fallen besides.³ Under Constantine and Constantius, British bishops are said to have attended the councils of Arles and Rimini. A little later the famous heretic, Pelagius, was a native of the British isles.⁴ The facts that the ancient seats of government are also the seats of the earliest dioceses,⁵ that a building, remembered to have been Christian, was still standing⁶ when Augustine's mission arrived, that the wife of Maximus was a devotee, and that Constantine, the son of the tyrant Constantine, was taken by his father out of a convent, are all presumptions that a regularly-organized Church existed. To this may be added the language of the Fathers. Tertullian, writing under Severus, boasts that regions of Britain, which the Roman soldier could not penetrate, had been subdued by the Gospel. St. Jerome, in the decline of the empire, declares that the barbarous natives of Britain were

¹ Quart. Rev., vol. xcvii. But Mr. Hallam has demolished this conjectural romance. *Archæologia*, vol. xxxiii.

² Bede, H. E., lib. i. c. 4. Mr. Hallam thinks it may be true that Llewfer Mawr, a Welsh subject of Rome, built the first British church at Llandaff at some unknown date. *Archæologia*, vol. xxxiii.

³ Usher, *Ecll. Brit. Antiq.*, c. 7. "De persecutione et passis in ea Albano . . . et aliis innumeris."

⁴ Probably of Wales. De Noris,

Hist. Pelag., lib. i. c. 3, who cites Augustine, Prosper, and Bede.

⁵ London, York, and Caerleon-on-Usk, if the name given to the latter, *Colonia Londinensium*, in the report of the council of Arles, ought not to be given up as hopelessly corrupt, rather than transferred to the third capital city.

⁶ "Erat autem prope ipsam civitatem ad orientem ecclesia in honorem sancti Martini antiquitus jacta dum adhuc Romani Britanniam incolebant." Bede, H. E., lib. i. c. 26.

united in orthodox practice with the Church of Rome. But even if these were mere rhetorical flourishes, there is still the great argument from probability. Is it likely that the belief of the neighbouring province, the accredited faith of the court, would not penetrate among the merchants who travelled in the empire, or the officials who looked homewards for promotion?

These arguments are met by others of equal plausibility. The traditions of St. Joseph, of St. Paul, and of Aristobulus, whom St. Paul is said to have sent, are mutually contradictory, while no one of them is supported by historical evidence. Jerome's language, if it be taken at all, shows that in the beginning of the fifth century the British Church was Roman in its ritual, and not Oriental.¹ The stories of Plautius's wife, and of Pudens and Claudia, prove at most that two or three persons connected with Britain, and resident in Rome during the first century, were Christian; while the tradition of Lucius comes on uncertain authority, and, if true, proves only that no missionaries had penetrated into the island in the time of Antoninus Pius. The stories of the Diocletian persecution are disfigured with improbable miracles,² and were probably pious novels, intended to edify believers, not to form the materials of history. Our records of the early councils are very uncertain; the list of prelates attending the council of Arles has confessedly been tampered with;³

¹ This is positively asserted by Eusebius, *Vita Constant.*, lib. iii. c. 19. Still its origin may have been Eastern, as Achaia and Cilicia followed the Roman custom. Aldhelm intimates that Sulpicius Severus introduced the peculiar British method of determining Easter in the fifth century. Ald., *Epist. ad Geruntium*.

So, too, a MS. quoted by Usher, *Eccl. Brit. Antiq.*, c. xi. p. 342, says that Germanus and Lupus brought in the "*ordinem cursus Gallorum*."

² A fountain sprang out of the ground to supply the saint with water, &c. Bede, *H. E.*, lib. i. c. 7.

³ So say the Benedictine Editors of the Councils, vol. ii.

and, with every allowance for a long and difficult journey, it seems strange that a Church which could send three representatives to Arles should have no special delegate at Nicæa. On the other hand, three of the British bishops, who were present at Rimini, were so poor that their expenses had to be defrayed from the public purse;¹ and in all likelihood were mere missionaries, whose converts were too few or too poor to support them. Pelagius, though Welsh by birth, spent all his life away from his native country;² and may easily have been Christianized in some country more civilized than his own. These arguments merely impugn the credibility of our early ecclesiastical notices. But the doubt was suggested by facts of a more positive kind. The Roman remains in England abound with altars and religious inscriptions to native and foreign deities; Mithras and Mogontis, the Nymphs and the Deæ Matres, have all had their votaries. But scarcely any Christian remains have been found. A tile, thought to represent Samson and the foxes, was found in the sixteenth century in Mark Lane;³ a silver vase, with a Christian monogram, at Corbridge, and the same monogram in the midst of pagan emblems on a mosaic floor at Frampton have been since discovered.⁴ But Christian epitaphs, even of that transitional kind⁵ which com-

¹ Sulpicius Severus, lib. ii. c. 55.

² In Rome and Palestine, where he is said to have learned his doctrine from Rufinus. De Noris, Hist. Pelag., lib. i. c. 3.

³ A woodcut of this accompanies a letter from a Mr. Bagford to Leland. Collec. Ant., vol. i. p. 71. But its date can hardly have been determined with precision in the sixteenth century.

⁴ The Roman Wall; Quarterly Review, vol. cvii. p. 135 (by Mr. Merivale). The case at Frampton is doubtful evidence of Christianity. A law of Theodosius and Valentinian forbids the engraving of "Christ's sign" on the floor, or on marbles placed on the floor, under heavy penalties, as profane. Codex, lib. i. tit. 8.

⁵ Milman's History of Christianity, vol. iii. p. 500.

menced with an invocation to the *Dî Manes*, are at present unknown in the Roman antiquities of our country. Many British names of towns have been preserved. But the prefix "*Llan*,"¹ or "*Church*," so common in Wales, is unknown in England proper. Again, there is no proof that the war between Briton and Saxon ever took a religious character. The Saxons regarded the faith of Augustine with superstitious dread; but no history records religious massacres, such as afterwards abounded in the struggle against the Danes. The distinction of faith was no doubt a rallying point to either nationality, but it was probably nothing more. All this seems to point to the inference that Christianity was never firmly established in the Romanized parts of the island, but existed side by side with paganism as a habit rather than a conviction.

Our knowledge is not yet sufficient to enable us to explain altogether these difficulties; but a partial solution of them lies in the facts of the growth of Christianity. The early by-names for the men of the new faith, *Galilæans* and *Greeks*,² point to the countries in which the Christian doctrine was first developed, and where it found readiest acceptance. Now, to any Roman such an origin would in itself be a sufficient motive for aversion and contempt. Of all the conquered races who swarmed in the streets of the great City of the world, *Syrians*³ and *Greeks* were the most abject;

¹ Mr. Davies, *Philological Transactions*, no. v. 1867. But much stress cannot be laid upon this argument, as there are several places whose names begin with *Eccles* (*Ecclesia*). The Keltic word may have been a distinction of the Kymric parts. That it means a diocesan or monastic establishment, rather than

a church is, however, an argument against any great antiquity for Welsh Christianity.

² Bingham's *Eccl. Ant.*, book i. c. 2.

³ Juvenal, *Sat.* iii. 60-68. Merivale, *Romans under the Empire*, vol. vi. c. 54.

of all religions that had penetrated to the capital, the Eastern worships of Isis, Serapis, and Mithras, were those which a respectable citizen regarded with the deepest horror. The ascendancy of the priests over women, the secret and midnight orgies, the effeminate tendency of the doctrines, were all outrages upon national self-respect. It is clear that for many generations Christianity was confounded with these sects, and the monstrous descriptions which Apuleius circulated,¹ and the vulgar believed, of the Agapæ, were not so much wanton calumnies as charges loosely based upon a false analogy. Men of cultivation like Seneca, earnest moralists such as Tacitus and Juvenal, might perhaps have been expected to recognize what was good in the new opinions. But, except St. John and St. Paul, the first teachers of the Gospel were men of imperfect culture or low social position; and the homely eloquence which stirred the masses would seem, to a fastidious philosopher, like the rantings of a Capuchin or a particular Baptist to an educated man of the nineteenth century. Moreover, the Roman mind was unsympathetic and hard; it revolted from impulsive devotion, and never heartily espoused Christianity till Christianity had united with Roman law to form a system by which state polity and household life were regulated. The majority in the Senate was probably pagan at the very date when Theodosius forbade sacrifices.² For many years, indeed,

¹ Apuleius, *Metamorphoses*, lib. ix. where he speaks of a baker's wife, who, belonging to a certain sect, "*sacrilegâ præsumptione Dei quem predicaret unicum, . . . matutino mero et continuo stupro corpus manciparat.*" Tertullian, *Apologia*, c. 8. Tertullian's language (*De Junio*, c. 27,) seems to show that the

practice might be perverted, and the Church at last suppressed it.

² "Up to the accession of Gratian (A.D. 367) . . . the Christian Emperor had been formally arrayed in the robes of the Sovereign Pontiff." Milman's *History of Christianity*, vol. iii. p. 165.

it had become apparent that the old faith was doomed. Men like Marcus Aurelius and Julian represent the prevalent Roman opinion which clung to the hope of a philosophical reform: let the impure mythology be discarded, let mysteries from Eleusis be introduced for those who delighted in secret worship, let the monstrous discrepancies of the Pantheon be harmonized in a rhapsodical Platonism, and the gods whom Curius and Camillus had worshipped, with whom the greatness of Rome had grown up, might still influence the thoughts and lives of an upright and manly people. Between the morality of Marcus Aurelius or Epictetus, and that debased theology in which Arian, Donatist, and Catholic devoted each other to vengeance as God's enemies, the advantage certainly lay with the pagan philosophers. Moreover, the very existence of Rome was threatened by the growth of a sect whose disciples declined military service, substituted church communion for citizenship, and made withdrawal from the world the ideal of life. Even, therefore, when it appeared that there was no resurrection for the dead heathenism which lay in the graves of the great men of the Commonwealth, the ghosts of the old gods seemed to haunt the precincts of the Christian basilica. Livy and Virgil were witnesses to the past, whom no Roman could read unmoved;¹ Plato was still the great master of thought; and of those Italians who were Christians in name, the greater number were probably pagan by their tastes and sympathies. Among the more eminent fathers of the Church, the first whom Italy claims be-

¹ So much was this the case, that Orosius wrote a Roman history on Christian principles, tracing the de-

cline of the empire to paganism. See, too, Augustine's preface to the "*De Civitate Dei*."

longs to the end of the fourth century; and Ambrose was a civilian by profession, and still unbaptized, the day he was chosen bishop. What is true of Romans by blood, is true equally of those who possessed the highest culture of the times, or whose rank was patrician. Sidonius, Bishop of Clermont, (A. D. 471), was the centre of a little literary coterie, who exchanged epigrams or wrote verses, in which Mars and the Muses figured, and he even speaks of a dead emperor as translated to the ranks of the gods. Still more striking is the case of Synesius, who presided with exemplary care over a diocese, while he corresponded, sometimes in pagan language, with the passionately pagan Hypatia.

Very different was the case of the subject-nations of the empire. They had no Roman traditions, no feeling of citizenship, and the decay of that vast tyranny¹ under which their local liberties had been crushed was regarded by them with a gloomy exultation; the crash of the world could not make them more miserable, but it would avenge them on Rome. The peaceful tenets of the Gospel were congenial to men who had forgotten the use of arms; and to give up the world might seem easy when the world gave them so little; when baths and gardens, office and dignity, were reserved for their rulers. There were special reasons why the Kelts of Gaul and Britain should embrace Christianity. Their own religion had been violently suppressed; its priests and its rites extirpated. The mere sense of a void would impel them to adopt a new religion; the moral growth of two centuries would lead them to demand

¹ The Sibylline Prophecies and the Apocalypse exhibit this feeling very strongly. See an admirable

passage in Milman's History of Christianity, vol. ii. pp. 163-167.

something better than Druidism had been; and Christianity was the only faith that sought them out in their homes. Both the better and the worse parts of their nature found satisfaction in the doctrine of their teachers; their enthusiasm was fired by the pathetic history of Christ and his sufferings; their dreamy fancy took refuge from present misery in the vision of another world;¹ and their sullen love of vengeance fed upon the thought of hell for their enemies. While the German and the Roman revolted from the conception of a crucified God, the Kelt, more impressionable and less self-reliant, perceived the beauty of the sacrifice, and did not shrink from reverencing a Lord who had passed out of life in shame and agony. The equality of all men in the Church might disgust the patrician, the chief, or the legionary; but it raised the position of the peasant, and it gratified the democratic instincts of the Kelt. The mere organization of the Church hierarchy was a pregnant political fact: it gave the subject-peoples everywhere a separate civic life, interests which they might control, offices and honours which they might enjoy. It was not its least service to society that it prepared the way for freedom of thought and action, when the Goth should have sacked Rome.

These considerations will serve to explain the probable position of the Christian Church in Britain under the Romans. It must have existed in the fourth century, and it may have been founded long before; but it was throughout a missionary establishment, chiefly working among the native tribes, having little influence among the Romanized populations of the towns, and perhaps not even derived from a Roman original. Its

¹ "Cette race veut l'infini; elle en a soif," &c. Renan, *Essais*, p. 386.

wealth would be small, its buildings consequently few, and its proselytes, at once from poverty and from national custom, would leave no funeral inscriptions behind them. From the little we do know, there is no reason to believe that the British Church, recruited as it was from barbarians, and unsustained by the intellect of the province, was either enlightened or pure in doctrine, or severely moral. Its delegates seem to have consented to the Arian apostasy at Rimini. The speculations of Pelagius a few years later were adopted so cordially that a special mission was sent from Gaul to reclaim the island. As late as A. D. 429 we find that the greater part of the British army at Maes Garmon was unbaptized, although nominally Christian.¹ The saints and divines of the Church in the fourth and fifth centuries have passed away without any record in credible history; if we know that they lived and laboured, it is all. But the bitter rhetoric of a native theologian in the sixth century declares that the wars and invasion which scourged the island were the just vengeance of God on the ineffable sins of the princes and the people.² The evidence is not sufficient, but it is all we have.

Among the strange features of the fifth century, a time in which new and old were fermenting together, we may perhaps place a re-action in favour of British paganism. Druidism as a system, indeed, was extinct, but traditions of the faith had no doubt lingered among the Keltic tribes. It is consistent with the analogies of Roman³ and Norse paganism to suppose that some

¹ Bede, H. E., lib. i. cap. 20. "Madidus baptismate exercitus," &c.

² Gildas, Hist., cap. 22. "Appropinquabat aiquidem tempus, quo

ejus (populi) iniquitates ut olim Amorrhœorum complerentur," and *passim*.

³ Julian and Libanius are obvious instances of the Roman re-action.

votaries of the old gods would be found, who would try to regenerate their religion by incorporating parts of Christianity; it is also the most probable explanation of some facts connected with this period. A number of remarkable structures are found in the British isles and Brittany: huge stones so poised that a touch can move them; circles of monoliths or triliths, sometimes surrounding what seems an altar; and avenues of stones, heaped up without any architectural plan. The mechanical forces required for the erection of one at least of these probably indicate an acquaintance with Roman civilization;¹ while the people who raised them must yet have been barbarous. The districts in which they are found, the fact that no Saxon tradition is connected with them, and the incompleteness of the greatest of all, Stonehenge, appear to refer them to Keltic architects, in the perilous times when the Saxon was pressing in. Again, the obelisks of syenite which form the inner circle of Stonehenge are not native to the plain of Salisbury, and have been brought from Cornwall or North Wales. It seems doubtful whether such huge masses could have been transported by barbarous engineers, or except on Roman roads; and the British tradition which ascribes their removal to the great enchanter, Merlin, places Merlin's abode in the Welsh marches, refers the event to the fifth century, and explains its importance by a superstition that the stones were mystic. The position, east by west, of the sacrificial stones generally, seems designed to symbolize the diurnal course of the sun,

The mythe of Baldr in its latest form, and the predictions of a new heaven and earth, in the *Völuspá* Saga, seem to me written under the influence of Christianity, and cer-

tainly cannot be proved to belong to pre-Christian times.

¹ See a paper on Stonehenge, by Mr. Rickman, *Archæologia*, vol. xxviii.

while the altar at Stonehenge indicates an advance in astronomical science, being so placed that it is best lighted up when the summer sun is highest. The circles of triliths may be explained as a combination of the Roman circus or amphitheatre, with a development of the old sepulchral architecture, for purposes of worship,¹ the uprights and transoms being imitations of the arch;² while the numbers three and twelve,³ which seem to run through them, were perhaps partly astronomical and in part borrowed from Christianity. The conjecture would be worthless if these numbers did not appear to have been adopted as sacred or mythical numbers in British legends⁴ and laws, whose

¹ A reflex argument for this might be found in the probable derivation of "church" from the Welsh *circ*—circus and circle. The word "*circ*," having acquired a religious significance, might in process of time be Christianized.

² Henry of Huntingdon says, "*Apud Stonehenge lapides miræ magnitudinis ad modum portarum elevantur ita ut portæ portis superpositæ videantur nec potest aliquis excogitare quâ arte tanti lapides adeo in altum elevati sunt.*" *Lib. i., M. B., p. 694.* The latter clause almost reads as if there were tiers of stones.

³ Thus Stonehenge has three circles and three avenues. Karnac, which was probably left unfinished, has eleven rows of stones. Dr. Thurnam says: "The stones forming them were often complete numbers having some astronomical significance, as 12. 80. 60. 100., in which there may be a reference to the lunar year and its divisions, the zodiacal signs, the 12 months of 30 days and

30 nights, and the Druidical *sæcula* of 30 years. The circles of 19 stones may refer to the Metonic cycle. The two inner circles at Abury, the lesser circle at Stennis, and one at Stanton Drew, each consisted of 12; the outer circles at Abury, the outer circles of uprights and transoms at Stonehenge, the large circle at Stanton Drew, and the circle at Arbor Lowe, each of 30; those of Rollrich and Stennis of 60; and the large enclosing circle of Abury of 100 stones. Four circles at Boscawen and adjacent places have each been formed of 19 stones." *Crania Brit., vol. i. p. 124.*

⁴ Instances of this are innumerable. Thus in Nennius, cap. 13, three men come to Ireland, with thirty ships, and thirty wives in each ship. In the Arthur legends, there are twelve ordinary seats at the Round Table, and a thirteenth, in which whoever sits, is to achieve a great adventure and die. This must have been copied from the

date can only be referred to some period between the fifth and tenth centuries. But there is other evidence for Neo-Druidism, at it may be called. A belief in the stars as controlling destiny appears in more than one Welsh poem of the sixth century; while the metempsychosis of Taliesin is described in a legend which pretends to the same date.¹ The Sangreal of mediæval romances has been altered from the British *gradal*, or mystical cauldron of generation, which had passed out of faith into story.² Even the fact of our Lord's incarnation was copied, with an irreverence which a later

Last Supper; and would not, I think, have been consciously borrowed in the twelfth century. Compare the legend of St. Patrick. "Patrick went over the water to Magh Slecht, where stood the chief idol of Eirinn, i.e. Cenn Cruaich, ornamented with gold and with silver, and twelve other idols ornamented with brass around him." O'Curry's *A. I. H.*, p. 539.

¹ Llywarch Hen speaks of the doom inflicted on him on the night of his birth (Bardes Bretons, p. 169), and of the day of death as fate (Bardes Bretons, p. 163). Taliesin says, "I have been in Asia, with Noah in the Ark. I have been with my Lord in the manger of the ass. Then I was for nine months in the womb of the hag Ceridwen," a deity, degraded into a sorceress, who presides over a mystical caldron, and has a fight, in which she and her foe assume different shapes at pleasure. Mr. Nash thinks this story later than the first crusade. Taliesin, chap. v. Zeuss, however, (*Gram. Celt.*, vol. ii. p. 954,) admits the claims of a portion of it to date back as far as the

sixth century. Moreover, the idea of a struggle in which the combatants take different forms is certainly older than the eleventh century.

² There is a remarkable passage in the Anglo-Saxon dialogue of Salomon and Saturn. "Saturnus quoth—'But how many shapes will the devil and the Pater Noster take when they contend together?' Salomon quoth—'Thirty shapes.' Saturnus quoth—'What are the first?' Salomon quoth—'The devil will be first in the shape of a youth, in the likeness of a child; then will the Pater Noster be in the likeness of a holy spirit . . . At the twenty-first time, the devil will be in the likeness of a poisonous bird: on the twenty-second time, the Pater Noster will be in the likeness of a golden eagle.'" Kemble's *Salomon and Saturn*, pp. 146, 147. The idea underlying legends such as these, of which Gaelic literature has many specimens, is the personality of the soul under any and all bodily shapes; in other words, the doctrine of the metempsychosis.

³ Villemarqué, *Les Romans de la Table Ronde*, pp. 140-146.

age would scarcely have ventured on, in the legends of Merlin and Arthur, who are represented as miraculously born of virgins; while Arthur's mysterious sepulture, and future resurrection, are also strikingly Christian in their analogies. Lastly, while the Welsh bards express a hostility to the monks, which resembles the jealousy of a religious order against its rivals, the oldest Welsh laws seem curiously to confound the functions of the two, and order the clergymen to keep records of genealogy and history, and to impart instruction, while the highest, or Druid bard, is to demonstrate the sciences of wisdom and religion in court and in church.¹ That all these facts together do not amount to proof of the theory may be readily granted; it can only be said that they are explained by it with less violence than in any other way.² The great arguments, after all, are the *à priori* probability that some such fusion of superstition and Christian dogma must have taken place; and the great difficulty of explaining structures, which almost

¹ The Flail of the Bards (Taliesin) dwells on the hatred of the Bards to the Church. Gwenchlain of Bretagne speaks with delight of a massacre of monks and Christians. Welsh Laws, vol. ii. book xiii. c. 2. ss. 71, 195.

² Mr. Herbert in his Stonehenge, and Britannia after the Romans, has put forward the arguments for Neo-Druidism with great learning, but in a manner so wild and fanciful, as to discredit his own theory. A re-action against the nonsense of "Helio-Arkte theology" and "symbolical literature," has led Mr. Nash, in his very valuable Taliesin, to deny the existence of any traces of paganism. This is contrary to all probability.

More than three centuries after Augustine our Saxon kings had to forbid heathen rites and magic (drycraeft, or Druidism), under heavy penalties. It is not necessary to regard Neo-Druidism as an organized system. Its teachers may have been professedly Christian and unconsciously Pagan. The important point, is that the British Church, especially among the more barbarous tribes, was half pagan in tone; and that facts taken from the Gospels were freely worked up into a new mythology, side by side with old superstitions. M. Martin accepts Neo-Druidism as a fact in the history of Gaul. Histoire de France, vol. iii. p. 353.

certainly belong to this period, by any cause but faith, by any faith that was not at least semi-pagan, or yet as the work of any people who were not at least semi-Christian. For the tribes of the west were precisely those among whom Christianity struck root earliest; and the territory about Stonehenge was not lost till the beginning of the sixth century.

CHAPTER VI.

THE SAXON CONQUEST.

THE SAXON INVASION UNHISTORICAL. BRITISH AND ANGLO-SAXON LEGENDS. THEIR MYTHICAL CHARACTER. DISINTEGRATION OF THE ROMAN POWER IN BRITAIN. THE CITIES AND THE NATIVE PRINCES. SEPARATE CONQUESTS OF KENT, SUSSEX, THE WESTERN COUNTIES, AND NORTHUMBRIA. REASONS OF THE ANGLO-SAXON SUCCESS. BRITONS NOT EXTERMINATED. PROOFS OF THEIR CONTINUANCE IN ENGLAND.

THE great political events that took place in Britain during the fifth or sixth centuries are known to us dimly by their results. The Keltic tribes whom Cæsar found in the island appear at the end of the seventh century either west of the Severn, or subject to Saxon princes, or independent but powerless. That Germanic settlements in England were formed as early at least as the time of the Emperor Probus has been shown; and the Anglian coast was probably occupied by Saxons, who were certainly seen in the British seas during the fourth century. But no contemporary history records how the waves of invasion swept gradually over the land; Saxon and British traditions are alike unreliable; scarcely even the name of a battle-field has been preserved. Popular belief supposes that the Saxon conquest was one great event, consummated, like the Norman, in a few years, and that it exterminated the native races, and destroyed the traditions of Roman art and law, covering England with a people more purely Germanic than can be found in Germany itself. We cannot

construct a true history of the times, but we can prove this hypothesis to be false. Yet it was not in itself unnatural; Welsh vanity has exaggerated its losses, and Saxon chroniclers only concern themselves with the history of their own race. The population that was neither Saxon nor Welsh had no defeats and no victories to record; and the calm of the conquered has been mistaken for the silence of the dead.

The Welsh accounts tell us that when the Roman troops were withdrawn, the island split up into a number of separate states, under the presidency of a king whose dynasty had reigned originally at Gloucester.¹ At first the country had been overrun by the Picts and Scots; but the invaders, although aided by Saxons, were overthrown in a great battle near Flint, (A. D. 429), in which St. Germanus led on the British forces, freshly baptized and shouting Halleluia.² An interval of prosperity followed, during which the fruits of the earth abounded as never before; but the people were unworthy of their happiness, and family treasons, murders, and incests disgraced the royal houses.³ The public crimes were scourged by a fresh invasion; the Picts and Scots poured down from the north, and harried the country as far as Lincolnshire. The weak and wicked Vortigern called in the aid of Saxon mercenaries; and these, under Hengist and Horsa, lent effectual aid. But the Saxons desired a settlement, and having obtained leave to buy as much land as an ox's hide would cover, they cut up the hide into thongs, and enclosed the foundations of

¹ Nennius, c. 49.

² Bede, H. E., lib. i. c. 20. The tradition of a visit from St. Germanus is perhaps confirmed by the importance attached to the Feast of St. Martin, and by the fact that St.

Blaize, who is still honoured in our calendar, is nothing more than St. Lupus in a Keltic form. Villemarqué's *Myrdhinn*, p. 147.

³ Hist. Gildæ, c. 21.

a castle. Vortigern affected the company of the treacherous strangers, and pledged them with Drinc-heil and Was-heil at their feasts. One day the goblet was offered him by the chief's sister, the yellow-haired Rowena. Vortigern was struck by her beauty, and, for love of the fair pagan, yielded up the province of Kent to her brothers. Then the Britons rose in anger against their king, and were headed by his own son, Vortimir. In three great battles Vortimir defeated the host of the Saxons, 300,000 strong, slaying Horsa, and driving them out of the island. But Rowena remained at the court; by her treachery Vortimir was poisoned; and his weak father recalled the beaten enemy. Hengist had learned by experience to dread the edge of the British sword. He invited the British chiefs, 300 in number, to a conference; mead flowed plentifully: but the Saxons kept themselves sober, till, at a sudden signal, "Ye Saxons, seize your swords," they sprang on their guests and murdered them. Vortigern alone was preserved that he might ransom his life by the cession of territory; and he basely gave up the provinces of Essex and Sussex without a blow. But his crimes had drawn down the anger of God and St. Germanus. Once for forty, and afterwards for three days, the saint and the British clergy fasted and prayed for the king's conversion. At the end of that time he was still impenitent, and fire from heaven consumed him with all his family.¹

The Saxon account is more simple. When the Romans had left the island the degenerate Britons were unable to resist the attacks of the Picts and Scots.

¹ Henry of Huntingdon, lib. ii. M. B., pp. 707, 708. Nennius, 31, 49. The story of the ox-hide is as old as Dido; and the treacherous

massacre is an old Thuringian legend. Florence, vol. ii. p. 101. Probably a Thuringian colony had settled among the Saxons.

Vortigern, therefore, called over the Æthelings, Hengist and Horsa, who came with three ships, bearing each the warriors of a nation, the Saxons, Angles, and Jutes. The axe and sword of the Teutonic warriors prevailed easily against the pike and javelin of the Keltic barbarians, and the Picts, who had penetrated to Stamford, were routed and driven back. But as recruits from the continent poured in to swell the ranks of their countrymen, the Britons took alarm at their numbers, and withheld provisions. Then the Saxons, who had already resolved to wrest the country from their feeble allies, united themselves with the Picts, overran the island, laying waste the towns and slaying the people; and finally divided it among themselves—the Jutes taking Kent and the Isle of Wight; the Angles, Anglia; and the Saxons, Essex and Wessex. Of defeats sustained from the natives the Saxon¹ annalists know or record nothing.

These narratives, even stripped of palpable additions, are clearly not quite historical. Vortigern “of the repulsive mouth,” as Welsh annalists call him, was remembered by his countrymen with a bitterness which led them to father the crimes of Gerontius on him, and which may have coloured the rest of his history. The 300,000 Saxons of the British account are like the three keels of the Saxon narrative, a mythical number, underlying, perhaps, a real national division. Moreover, the dates assigned to the battles occur suspiciously at regular intervals of eight years.² Now, eight was a sacred

¹ Saxon Chronicle. Bede, H. E., lib. i. c. 15.

² For instance, Hengist's victories are dated 449, 457, 465, and 473. A

second cycle of triennial victories begins eight years after Ælla's advent, 485, 488, 491, 494. Æthelwald, M. B., p. 503.

number, and a common unit of measurement among the Saxons. It is probable, therefore, that the whole chronology of the war was constructed in the ninth century, or whenever the Saxon chronicle was written. But this uncertainty as to details, and numbers, and dates, throws an air of doubt over the whole history. The very names of the Saxon chiefs have been considered forgeries; though Horse and Mare are not more singular than Leo, or Ash, or Wolf. It may even be said that we have high grounds for believing in the existence of an actual Hengist. A stone pillar in Scotland still commemorates, in debased Latin, a certain Vetta, the son of Victus, and the names appear in Saxon genealogies as those of the grandfather and great-grandfather of Hengist.¹ That a Saxon should be found in Valentia in the fourth century, whether as mercenary or as free-booter, is in itself not unlikely, or that the family should remain hovering round England. The name of Hengist was not only known in the seventh century to our great historian Bede and to the Ravenna geographer, but has stamped itself on local names, which occur especially in the eastern counties and in Kent.² It may be surmised that the Saxon chief had his head-quarters in Anglia where a kindred people was settled, and assisted first in stemming the rush of the northern tribes over north England. Issuing out from the districts of the Wash he would take the invaders in the flank. His prestige once established he

¹ Wilson's Pre-historic Annals, p. 96. On the Cat-Stane, by J. Y. Simpson, pp. 49, 50. Flor. Wig., vol. i. p. 248.

² The Ravenna geographer's Anschis, or Anschys, can hardly be any one but Hengist. For local names

connected with Hengist and Horsa, see Taylor's Words and Places, pp. 327, 328. Perhaps we may add Henghurst and Hengham in Kent, and Hinxhall and Horsebrook in Worcestershire. Cod. Dip., 570.

was in a position to carve out a principality for himself. Nowhere more easily than in Kent could he draw recruits from the continent, and few provinces offered richer spoil.

The truth seems to be that the history of the more civilized south, coloured and distorted by the prejudices of two hostile nations, has been taken for the history of the island. A probable tradition tells us that, a few years after the Roman rule had ceased, "the Romans collected all the treasures that were in Britain, and some they hid in the earth, and some they carried into Gaul."¹ It is likely that these Romans were residents not yet naturalized in the country, who, when the legions withdrew, would be excluded from office, which they had more or less monopolized, and would find themselves a despised and persecuted minority. But the departure of these men would not affect the Latin character of the towns where consuls were still elected,² where Roman laws prevailed, and to which the emperor still addressed rescripts.³ It, however, allowed the native chiefs to resume an absolute sovereignty among the rural clans of their respective districts. This would be acknowledged by the towns; and a federal presidency might be obtained by a single chief, such as Vortigern, over the whole of the south. But Roman civilization and Keltic barbarism could not be fused under a weak native prince; and the struggle of the Teutonic settlers in the eastern counties with the Kelts of the west was only a question of time. Its decision seems to have been precipitated by a Pictish invasion and permanent occupation of the north. If there be any truth in the story

¹ Saxon Chronicle, A. 418.

² Nennius, c. 42. ³

³ Zosimus, l. vi. c. 10.

that the Roman colonists in Britain received a last succour from Aetius (A. D. 446)¹ we may understand why the wall was not finally passed till near the middle of the fifth century. In the east, to take up the thread of Saxon story, the further progress of the barbarians was stayed by Hengist's prowess. In the west the Kymric tribes of western Yorkshire, giving way before their uncivilized kinsmen, under their chief Cunedda poured into north Wales, and displaced its Gaelic inhabitants.² Curiously enough the date of Hengist's service under Vortigern corresponds exactly with the date of Cunedda's conquest (A. D. 449) though there is no reason to suspect connection in the narratives. It was a general upheaval of peoples. The tribes of Wales overran the midland districts of England, drawing into their ranks the hardy countrymen of the villages, and storming, burning, or starving out the towns.³ The Saxons, perhaps influenced by Hengist's policy and success, allied themselves with the cities against the tribes, and their fleets ravaged the Hebrides and Ireland.⁴ A king like Vortigern, whatever his ancestry, would sympathize with the tax-paying portion of his subjects, and be compelled, for his very existence, to repress the forays even of his clansmen. His crime was that, having Kymric blood in his veins, he threw himself on the side of the Romanized provincials, or Loegrians, as they are called for a time. In his employ-

¹ Bede, H. E., lib. i. cap 13. As regards the date (commonly given as A. D. 436) Mr. Stevenson's note seems decisive.

² Vestiges of the Gael in Gwynedd, pp. 40-46.

³ From the character of the skulls

found there, it seems probable that Wroxeter fell in this manner.

⁴ Nennius, c. 38. "A. D. 471. Præda secunda Saxonum de Hiberniâ ut alii dicunt in isto anno deducta est." Annals of Ulster, quoted in O'Curry's Anc. Irish Hist., p. 88.

ment of Saxon mercenaries there was nothing unusual, for every Roman emperor had followed the fatal precedent of Valens. A marriage with the Pagan Rowena, though it shocked the sensitive faith of a later age, had nothing in it to astonish the fifth century; it is in itself as possible as that the Britons were jealous or the Saxons treacherous. But, in accepting the main features of the story, it is important to bear in mind that it only refers to a small portion of the island. The kingdom of Hengist was probably bounded by Kent. Kent itself consisted of two districts, whose limits were very much those of its old dioceses.¹ The eastern division the Jutic chief obtained by peaceable cession, and the great towns, such as Canterbury, Rochester, and Dover, retained their corporate liberties by a compact with the new sovereign; Jute and Briton lie together in common burial-grounds.² West Kent was the scene of an obstinate conflict, which lasted for years, and ended with the flight of many of the natives to London, where the walls of the great commercial city protected them. But small as it was, the invader's success had two important results. It ruined his brother-in-law, who, having lost his prestige, withdrew to his native principality in the west. And so brilliant a triumph attracted other invaders, who now poured in upon different spots of the coast, and fought out little kingdoms for themselves, till the island was Saxonized.

¹ Palgrave, *Eng. Comm.*, ii. p. cclxxii. quoting the *Cod. Roff.*, 116, and *Sax. Chron.*, A.D. 999.

² Wright on *Municipal Privileges*, *Archæologia*, vol. xxxii. There are some other traces of British residents in Kent. In A. D. 741, Dunwalh, evidently of British extraction, is

butler to King Ethelbert II. of Kent. Palgrave's *Eng. Comm.*, cclxviii. Some two centuries later, a Maiebrith Macdurnan expounds a copy of the gospels given to the church at Canterbury. Davies, *Philolog. Trans.*, no. v., 1857.

The south coast was the first subdued. Ælla landed in Sussex, and besieged the capital, Anderida, where Pevensey now stands. Now Sussex was one of the parts of the island where Roman influence had been least felt; and it had retained a royal line of its own, which was partially independent of the præfect in London. The citizens trusted in the strength of their walls, which defied escalade, and against which the Saxons could bring no artillery. But the invaders sat grimly down before the town, beating off the light troops who assailed them from the field; and when famine had incapacitated the citizens for defence, the enemy entered and slew man, woman, and child. Their rage did not even spare the city walls, and only a few ruins, which have now disappeared, showed in the twelfth century where Anderida had stood.¹

Passing by the legendary Port, who conquered at Portsmouth, as a later age inferred from the name of the place, we find Cerdic towards the end of the fifth century reducing the Isle of Wight, and crossing over into Hampshire. The natives or people of the Netley district were then governed by a king of character and ability, who has been identified by a probable conjecture with the Uther of Romance, and the Ambrosius Aurelianus of history.² Belonging to a Romanized family,

¹ Henry of Huntingdon, lib. ii. M. B., p. 710.

² I have adopted Dr. Guest's translation: Natan-leod, king of the Nattas. *Philolog. Trans.*, vol. i. no. 2. Mr. Earle, however, translates Natan-leod as king Natan. *Two Saxon Chron.*, pp. 289, 290. This view derives a high probability from the apparent occurrence of a

name Natan in west country localities; Ravenatone or Rav-Natan, in the Ravenna geographer, and Natan-grafas, Notgrove, in Gloucestershire, in a charter of the eighth century, *Cod. Dip.*, 90. The express statement of Florence that the district was called after the king deserves attention, *Flor. Wig.*, vol. i. p. 4. (compare *A. S. Chron.*, A. D.

his father having been the consul of a city, he seems to have won his royalty by a successful revolt against Vortigern. The strength of his power lay in Devonshire and Wiltshire; but the family of Vortigern himself had become his tributaries, and he was evidently regarded as the champion of the national cause against the Saxon invader. He tried to oppose Roman discipline and tactics to the irregular fury of the Saxons; the very "dragon of the great pendragonship" had been copied from a Roman ensign.¹ But the Saxons succeeded in effecting a landing near Lymington, and drove him back westward, in the direction of Charford, till he fell in battle, and was buried at Amesbury.² His son, the famous Arthur of mediæval romance, succeeded to a diminished sovereignty, of which we may easily believe that Camelot or Cadbury in Somersetshire, defended by Roman works, was the capital. Even to this fortress the Saxon army had at one time penetrated; but in investing the walls of Bath they sustained a signal defeat, which preserved the British power in

508). On the other hand, there is no known case of a district taking its name after a slain chief. In this case the words "usque ad Cerdicesford" seem to imply a large tract of country. The name Neddaneleah in old charters, *Cod. Dip.*, 624, 1111, scarcely looks like a compound with "neten," cattle, and does look like a compound with a tribal name. Lastly, neither Llywarch-Hen nor Nennius knows anything of a king Nathan or Nectan.

¹ See Nennius, c. 42, where the white dragon seems to be the symbol of Kymric sovereignty. The standard of the "exulcatores juniores Britannici" was two gilded dra-

gon-crests, reared at one another on a white shield bordered with red. *Pancirollus*, *Not. Imp.*, ii. pp. 30, 41.

² This is conjectural, but seems probable. Of Cerdics-ore, where Cerdic landed, we only know that it was a spit of land, "ore." This might be Yarmouth in the Isle of Wight, or the part near Hurst Castle in Hants. Either is near Lymington, where there is a Roman camp and local tradition of a British battle. The pursuit would lead straight to Charford, which commemorates the Saxon king's name, as that of Ambrosius is preserved in Ambres-byrig, or Amesbury.

the west for another generation.¹ But the Britons only used the hour of respite to turn their swords upon one another. Maelgoun, of North Wales, beautiful and brave, but depraved and unscrupulous, illustrated his accession to power by carrying off Arthur's queen, the guilty Guenever of romance. The feud was appeased

¹ The battle of Mons Badonicus, the greatest defeat ever inflicted by the southern Kymry on the Saxons, has been variously placed at Bath, at Mount Badon in Berkshire, and by Dr. Guest at Badbury in Dorsetshire. Gildas places the Mons Badonicus "prope Sabrinum ostium," (c. 25), which would be decisive if the passage were not wanting in one of two MSS. Two considerations make me prefer Bath: 1. That in Geoffrey of Monmouth the Saxons are said to have landed in Totnes. 2. That in the list of Arthur's battles given by Nennius (c. 56), the one at Mons Badon is immediately preceded by one at Agned Catbregonion, which a marginal gloss places in Somersetshire, and which Camden identifies with Cadbury or Camelot. Mr. Earle, who, however, agrees with Dr. Guest, has shown that Solsbury, near Bath, was probably a hill fortress. It seems improbable that the Saxons should not have advanced further than Badbury in twelve years after the death of Natan-leod, and a little unlikely that of two copyists one should tamper with the text of Gildas, and another insert a gloss in Nennius' to fix localities in Somersetshire, if they had no real or traditional knowledge of their subject. It would be at least a curious correspondence of forgeries. As a piece of conjectural criticism I am tempted to refer the battle commemorated in Llywarch Hen's death-

song on Gherent, and the four last battles in Nennius to one and the same campaign. The death-song on Gherent is commonly referred to A. D. 501, in which year the Saxon chronicle records a battle at Portsmouth, in which a young Briton perished. But the Saxon account is certainly unhistorical, and as Llywarch Hen lived to commemorate Urien's death in 572, he is scarcely likely to have been a minstrel seventy-one years before. Moreover, he speaks of Arthur as Gherent's king. The poem gives us two other data of identification. Gherent was a Domnonian, or Devonian, and he fought at Long-port, which means any mouth of a port, and may therefore be Dartmouth. If so, Gherent would be the *comes* or chief of the district who met the invaders, when they landed, with the local militia. The battle at Urbs Legionis, in which Arthur commanded, is more likely to have been at Exeter than at either Chester or Caerleon, as those towns were not yet in the Saxon line of aggression. Marching across the country the Saxons were next encountered in the district of the Brue or of Brent, Tre-Brue or Tre-Brent, the Tribruit of Nennius. They seem then to have marched upon Cadbury, and finally, flushed with conquest, upon Bath. Here, fighting with diminished forces against Arthur's whole host, they sustained a crushing defeat.

by the intercession of a saint, who prevailed on Maelgoun to send back his paramour. But another war, in which Modred, a nephew of Arthur's, advanced claims to the throne, ended in the fatal battle of Camlan (A.D. 537), in which both princes fell in single combat. The weakness of Arthur's successor, Constantine, left the virtual supremacy in Britain to Maelgoun. The prince of Gwyneth, divided between habitual vices and a maudlin penitence, which once led him to assume the habit of a monk, was not always able to protect his own territories.¹ Still we may infer that the Saxon dominion in Wessex was never won altogether by the sword. The names of some of their princes, Ceadvalla, Mul, and Cenwalh,² imply intermarriage with the natives. Britons and Saxons were on almost equal terms as witnesses in a court of justice, and in their were-gild or value before the state; the laws of Ine protected native interests; a distinctly British population existed through

¹ If we assume that the Maglocunus of Gildas, the Mailcun of Nennius, and the Melvas of the biographer of Gildas are the same person, the details of this narrative are easily fixed. Melvas carries off Guenever, is pursued by Arthur, and reconciled by St. Gildas. Maglocunus is denounced for making fierce war upon his uncle the king. Having got the object of his guilty ambition (apparently the supreme power), he is conscience-stricken, and vows to become a monk. He then kills his first but unlawful wife, and marries a niece, whose husband he also kills. *Vita S. Gildæ*, pp. xxxix. xl. *Epistola Gildæ*, c. 33-35. The Mailcun of Nennius (c. 62) is king of Gwyneth, or North Wales, during the sixth century. His date

is generally given as 534-547. *Annales Cambriæ*, p. 4. M. de la Villemarqué translates Maelcun as the chief Mael, and Mael-was as the young Mael, while he makes Lancelot a translation of Mael. *Romans de la Table Ronde*, pp. 58-62. There is certainly a curious likeness between Maelgoun and Lancelot, seducing Guenever, making war on Arthur, and turning monk.

² Ceadvalla is distinctly Welsh; the "wall" in Cenwalh is the etymon "wealth," Welsh, foreign; and Mul is probably Mule, or mixed. Even Cerdic's name is suspiciously British in its affinities. There was a Cerdic Rex Britonum, about A. D. 620. Bede, *H. E.*, lib. iv. c. 23. Perhaps some names have been confused in local legends.

the five south-western counties in the time of Alfred;¹ and the eminently aristocratic constitution of the West Saxons, in the tenth century, appears to attest the presence of a numerous but inferior nationality. These facts show what the real merit of Arthur's struggle was, and why his countrymen preserved in their songs the name of the last prince under whom they were independent, and lords of the soil. If the legend of his piety has any other foundation than the interest of the Glastonbury monks, who had forged charters in his name, we may find another reason for his fame in the respect and gratitude of churchmen. But if we venture to assert Arthur's existence, it is on condition of restricting his dominions. In the narrative of the ninth century, which describes him as lord-paramount of Britain, fighting twelve battles from the south to Scotland, going as a pilgrim to Jerusalem, and wearing the Virgin's image on his shield, he is already passing into the hero of romance. History only knows him as the petty prince of a Devonian principality. But even if his tragical fortunes had not made his name memorable among wretched men, his leadership in the most brilliant struggle of Christian and half-civilized Britons against the alien and Pagan barbarians, might well consecrate him as a hero to all time, and if he was less a statesman than a knight, as the issue and men's remem-

¹ West of the Exe was Welsh territory. Palgrave, Eng. Comm., p. ccxlv. From Alfred's Will we find that the five south-western counties were known in his time as *Wealh Cynn*. Kemble, Cod. Dip., 314. In Athelstane's time, the two nations still lived, *æquo jure*, in Exeter. Malmesbury, lib. i. p. 50. "Brit-

tones *Anglis famulabantur*," says Malmesbury, speaking of Wessex, though he extends his remark to all England. *Vita Aldhelmi*, Ang. Sac., vol. ii. p. 14. Under Kentwin (A. D. 680) they rebelled, and were crushed with great slaughter.

brance seems to prove, he was all the more kindred to that imaginative Keltic race which created chivalry. He is the Alfred of his own people, driving out its oppressors, ruling it in peace and law, but powerless in a divided house, and unable to lay the foundations of better sovereignty.

The second flood of Saxon invasion seems to correspond with the end of Arthur's reign, when the Britons, encouraged by a short prosperity, were distracted with civil feud, while the firm rule of Justinian was forcing the barbarians into safer enterprises than the empire offered. Accordingly fresh swarms poured in, this time upon the eastern coast, where Essex became the principality of an Ascuine or Eormenric,¹ (A. D. 527). Twenty years later, A. D. 547, Ida, chief of the Angles, and perhaps the prince of a tribe long since settled in Britain, fought his way southward from the Lothians, along the eastern coast.² Ida seems, like Hengist, to have taken side with the cities. He led Angles and Loegrians against the Britons of Cumberland and Strath-Clyde, who had been cemented into a new nationality by fusion with the Picts, who had poured in over the wall. The struggle was desperate, for the chiefs on either side were evenly mated. Ida earned the title of the Flame-bearer, and a wide tract, from Scotland down to Derbyshire, was known henceforth as "the wilderness."³ But during the life-time of Urien, the black lord of Rheged or Cumberland, the Angle always laid down to sleep "with the light of

¹ Hen. Hunt., lib. ii., M. B., p. 712. *Genealogia Saxonum* apud Flor. Wig.

² Longstaffe's *Durham* before the

Conquest, *Archæol. Inst.*, 1852, pp. 51, 52.

³ Robertson's *Scotland* under her Early Kings, vol. i. p. 5.

battle in his eyes.”¹ Ida himself fell by the hand of Urien’s son, Owen. Ida’s son, Deodoric, was besieged for three days, in the island of Lindisfarne, by the host of the united Kymry, under Urien. At the moment when success seemed certain, Urien was killed by an assassin, whom a jealous chief of Strath-Clyde had suborned. (A. D. 571-578). The British host broke up in confusion, and the fortunes of the Anglian monarchy were assured. Yet the British power was so formidable that the Angles were only paramount in the eastern half of the two northern provinces. A great earthwork and fosse, from Peel Fell on the Northumbrian border, defined the marches of the two peoples as far as the shores of the Forth. The “wilderness” was, in all likelihood, the debateable land of the South. More than a century elapsed before the struggle of the two races was decided with certain issue on either side. But even in the parts where the Angles first settled it is certain that the natives were not exterminated. They were tax-payers and soldiers to the new dynasty; its monarch claimed to be sovereign of the Britons; one of Ida’s grandsons married a British princess:² British ecclesiastics gave counsel in court, or ruled the Northumbrian Church; and to this day the two races of men, the tall flaxen-haired Angle, and the short, dark, broad-

¹ The expression of Taliesin in the Death-Song of Owen. Villemarqué, *Bardes Bretons*, p. 443.

² The Triads make the lovely and impure Bun, or Bebbu, the wife of Ida. But Nennius (c. 63) gives her to his grandson, Ethelfrid (A. D. 592-617). The question is of some importance, as Bun’s name serves to fix the date of the Gododin. It is certain that Ethelfrid had another

wife, Acha, the daughter of Ælla of Deira, who was the mother of Oswald. But Bede’s language seems to imply that Eanfrid, another and seemingly an elder son, was of British ancestry, and the shelter he found among the Picts of Galloway confirms this view. Compare the legend in Geoffrey of Monmouth, that Ethelfrid repudiated one of his wives. *Hist. Brit.*, lib. xii. c. i.

chedsted Kelt may be distinguished at a glance by the ethnologist.¹

What exact relations existed between the Kymry of Strath-Clyde, of Cumberland, of Wales, and of Devon, it is impossible to define with any certainty. Each province had its clans, and apparently its chief-paramount, and there was sufficient sense of a common interest among them to induce occasional concert against the foreign invader. It was probably for want of this support that the British lost ground steadily in the south-west, where, five years after Ida's invasion, Kenric beat them in a great battle at Salisbury. The yellow plague followed, desolating Wales. (A.D. 547). The war now spread over Mid-England, and Ceawlin, the great West-Saxon king, cleared the country from Kent to Gloucestershire of his enemies, (A.D. 568-584), while his brother Cuthulf carved out a little sovereignty in Bedfordshire. (A.D. 571). A contingent from Galloway is said to have aided the Kymry of Wales in their last great battle against Ceawlin. It was the desperate rally of a lost cause.

The invaders were now masters of the north, the east, and the south; they could push on at pleasure into the heart of the country, supported by the Germanic tribes, and acknowledged readily by the cities,

¹ This distinction of types in Northumbria and Anglia was pointed out by Professor Phillips and is endorsed by Mr. Davis. *Crania Britann.*, vol. i. p. 22, note. There is historical proof of it. Bede, a Northumbrian, says that in the north the Britons, though partly free, were yet partly enthralled to the Angles. *Ilist. Ecc.*, lib. v. c. 23. Such names

as *Æthelwald Mol*; *Oswald Lavi-guin*, *Owini*, *Coifi*, *Aldwine Wor*, speak for themselves. Davies, *Philolog. Trans.*, v. 1857. St. Guthlac, a Mercian, who retired to Croyland, had a vision, in which he imagined his cell surrounded by a crowd talking the British tongue. Even a vision must have had some basis of reality. Wendover, vol. i. p. 309.

who found them easier rulers than the Kymry had been. The struggle had been neither short nor bloodless; but a people divided amongst themselves had no chance against men whose very existence depended on union. The permanent quarrel between civilized men and barbarians, between the Romanized population of the cities and the native tribes of the country, between the Loegrians of the east and the Kymry of the west,¹ had been the primary cause of the Saxon invasion and conquest. But independently of this, the Saxons were a stronger race, physically, than their enemies; and with less of irregular impulse, they had greater energy, a firmer tenacity of purpose, and a more steady patience in the execution of their plans. The circumstances of those times favoured the barbarous invader rather than the half-civilized people. For governments were many and weak; standing armies had been replaced by local militias; and patriotism had been almost destroyed by Roman centralization. It is not wonderful, therefore, if the Saxons triumphed. But their general success in the great battles is remarkable; and the desperate courage with which the Britons bore up, at least in Wessex and Northumbria, against repeated defeats, is evidence of the high qualities of the race. They obtained their reward in the liberal terms which were granted them by the conqueror.

For the common belief, that the Keltic population of Britain was exterminated or driven into Wales and Brittany by the Saxons, has absolutely no foundation in history. It probably originated with the Welsh, who confounded the position of their ancestors, as premier tribe under Vortigern, with the occupation of the

¹ Herbert, *Britannia in the time of the Romans*.

island.¹ The mistake is as if we should suppose that the Silures, under Caractacus, were the whole British people. Their courage and national spirit have given them a deserved pre-eminence; but it is nothing more than this. We hear of great slaughters by the Saxons on their bloody battle-fields, but no massacres after the fight are recorded, except in the single case of Ande-rida.² We know that fugitives from Britain settled largely during the fifth century in Armorica and in Ireland; and we may perhaps accept the legend of St. Ursula, as proof that the flight, in some instances, was directed to the more civilized parts of the continent.³ But even the pious story of the eleven thousand virgins is sober and credible by the side of that history which assumes that some million men and women were slaughtered or made homeless by a few ship-loads of conquerors. There was commonly no reason for bloodshed, except in battle. We know, by the complaints of Welsh poets, that a race of Romanized Britons, whom they call Loegrians, took part with the invaders against their Keltic kinsmen; and we cannot suppose that the Saxons would cut the throats of their allies after the

¹ The name Vortigern is probably a title meaning "chief lord." The Iolo MSS. (p. 384) say that the Britons recovered their liberty under Owen Ffinddu (the black-lipped), son of Maximus. Owen is perhaps the Vortigern Gwrtheneu (of the repulsive lips) of the Brut y Tywysogion (A. D. 681). But Nennius (c. xxxii. note 6) seems to identify him with Benli Gawr, a chief of North Wales in the fifth century.

² The Life of Alfred, ascribed to Asser, says that the Britons of the Isle of Wight were massacred. This

is probably an exaggeration of the simple statement in the Saxon chronicle, "Cerdic and Cynric slew many men at Wightgarasburg."

³ Rot. Scac. Norm., vol. i. pp. xl.-xlii. of Mr. Stapleton's Preface. Petrie's Round Towers of Ireland, pp. 134-136. For a clever examination of the legend of St. Ursula, which I think goes far to prove that fugitives, many of them women, arrived in Cologne about the middle of the fifth century, see the volume of Essays, edited by Dr. Manning.

war. The object of the races who broke up the Roman empire was not to settle in a desert, but to live at ease, as an aristocracy of soldiers, drawing rent from a peaceful population of tenants. Moreover, coming in small and narrow skiffs, the conquerors could not bring their families with them, and must in most cases have taken wives from the women of the country. That the Saxon language was not, like the Norman and Frank, exchanged for a Latin dialect, is probably due to the long duration of the struggle. During four generations of men, fresh recruits were perpetually swarming in from the shores of the German Ocean to take part in the subjugation of the island.

These probabilities are confirmed by facts that meet us on every side. The political division of hundreds belonged to the Germans, in the time of the earliest Frank kings,¹ and probably indicates in England what number of Saxons settled in a conquered district. Now here we find as a rule that the number is always greatest in maritime counties, and smaller as we advance inland and westward. Sixty-six in Kent and seventy-two in Sussex contrast strongly with six in Lancashire, five in Staffordshire, and seven in Leicestershire.² If we exclude Cornwall, as a late conquest, from the maritime counties between the Thames and the Avon, we shall find that the six remaining ones have twice as many hundreds as are comprised in twelve midland counties.

¹ "*Causator centenarium cum centenâ requirat*," &c. Decret, Childebert. "*Conventus . . . fiat in omni centenâ*." Leg. Alam., i. 36. Baluz, vol. i. pp. 14, 46.

² In this list I have included Buckinghamshire, Oxfordshire, Berks, Warwick, Worcester, Notts, North-

ampton, Herts, Bedford, Derbyshire, Staffordshire, and Leicestershire. I have given the higher numbers from Domesday (e. g. eighteen instead of eight to Bucks), and I have omitted three hundreds from Somersetshire that appeared to be merely manors with territorial privileges.

Evidently the sea-rovers settled chiefly in the parts which the sea washed, and which they had first fought for and won, leaving the heart of the country to a more gradual process of military colonization by their sons. For a long time the Saxon, disliking towns, and without occasion to labour for his livelihood, would remain a soldier, encamped perhaps in a special district, but attending the gemot or comitia of his tribe. But intermixture with the Welsh or Britons among whom he lived, was unavoidable. Accordingly, hundreds of common words, relating especially to government, to agriculture, to household life and service, and to the arts of weaving, boat-building, carpentry, and smith's work, may still be traced in the limited Anglo-Saxon and Welsh vocabularies.¹ Rather more than a hundred Latin words, often to be found also in Welsh, show that for his knowledge of trees, flowers, and herbs, of weights and measures, and of little appliances of daily life in the house, the farm, or the camp, the Saxon was largely indebted to the Romanized Briton.² In ages when there were no family names, the lower people would before long adopt the names as they learned the language of their conquerors. Yet unmistakeable Keltic names, such as Puch, Pechthelm, and Maban, are found attached to Anglo-Saxon charters, and designating persons of rank.³ Keltic missionaries assisted Augustine and his

¹ Davies, *Philolog. Trans.*, v. 1857. Garnett, *Philolog. Trans.*, vol. i. p. 171; vol. ii. pp. 15, 77. Mr. Kemble seems to accept Mr. Garnett's conclusions. Saxons in England, vol. i. pp. 21, 22. Brandes, in his *Ethnographische Verhaeltnisse der Kelten und Germanen*, gives as instances the words glaive, lance, spear, basket, plaster, gimlet, brush, block,

boots, towel, stoup, gable, onion, bran, grease, mackerel, turbot, tin, pewter. Compare two interesting lectures by Mr. Gaskell on the Lancashire dialect.

² See Appendix, A.

³ Kemble, *Proceedings of Archæol. Institute*, 1845. *Philolog. Trans.*, v. 1857.

followers in their labours; and Paulinus, the first archbishop of York, has been claimed as Rum, the son of Urien.¹ The names of places have been even more permanent. Our river-names, such as Cam and Avon and Ouse, and the frequent combination of syllables such as man, pen, kil, and maes, with Saxon words, show that the race who once held our country was not suddenly extinguished.² If the Roman towns in some cases fell into decay, the poverty of a war-stricken people, and the decline of commerce, and of the arts of peace, will account for it. But the days of the great Roman feasts were still celebrated under Christian titles;³ the Roman colleges of trade were continued as guilds; Roman local names were preserved by the conquerors as they found them; Roman titles, duke and count, were assumed by the Saxon chiefs; Roman law has formed the basis of the Saxon family system, and of the laws of property. The Saxon conquest was a change of the highest moment, no doubt, but it did not break up society; it only added a new element to what it found. The Saxon state was built upon the ruins of the past.

¹ The story professes to come from contemporaries (Nennius, c. lxiii.), but can hardly apply to Rum, the son of the famous Urien, whom Llywarch Henspeaks of as dead a generation earlier; Villemarqué, *Bardes Bretons*, p. 51.

² Compare a list of British etymons in the local names of a single county in "The Ethnology of Cheshire," by Mr. Earle. Of course, the

few Roman names still to be traced come in evidence of this point.

³ The Saturnalia at Christmas-tide, present-giving on the day of the New-year, and the connection of May-day and All-Hallow's-Eve with the flowers and fruits of the season, those days being old festivals of Flora and Pomona. Brand's *Antiquities*, vol. i.

CHAPTER VII.

THE ANGLO-SAXON TYPE.

DISTINCTION OF ANGLES, SAXONS, AND JUTES. ANGLO-SAXON PHYSIQUE AND CHARACTER. POSITION OF WOMEN. ABSENCE OF THE FAMILY FEELING. CIVILIZATION. RANKS AND THEIR PRIVILEGES. BRITISH POPULATION. ODINISM OF THE ANGLO-SAXONS.

WHO the different tribes were by whom Roman Britain was subdued is not altogether easy to decide. Historians have been struck by the fact that the invaders were known as Saxons to the Britons, while they gave the country in later times the name of England or Angle-land. Anyhow, Angle and Saxon would seem to have been the two great divisions recognized. The Angles were probably Danish, or at least Low German, rather than Frisian; they would therefore be connected with the Jutes, who colonized Kent and the Isle of Wight; and this is confirmed by the analogies of the Northumbrian and Kentish dialects.¹ Apart

¹ The analogies of the Kentish and Northumbrian dialects have been pointed out by Mr. Kemble. *Philolog. Trans.*, vol. ii. 36. For the analogies of early Northumbrian and Danish, I only know the vague statement, "*Lingua Danorum Anglicanæ loquelæ vicina est.*" *Script. Rer. Dan.*, vol. v. p. 26. Mr. Earle writes me word, "The Anglian (present Northumbrian and Scots dia-

lect, e. g. Burns) is in fact Platt-Deutsch. . . . Still it is quite true that the difference between it and Danish was not such as to create severance or bar coalescence." The real evidence of the connection is, I think, to be found in history, as much as in philology, and must not be pressed unduly. It is noticeable that Angul and Dano are mythical brothers in Saxo Grammaticus.

from evidence, it is natural to suppose that the Anglian track of conquest, north and east, bore some relation to the situation of their homes on the continent. The populations of the kingdoms north of the Humber, of East Anglia, and of Kent, may thus be assigned to the border-lands of Denmark and Germany. This half-Scandinavian origin is borne out by the energetic and turbulent character of the race; and it explains the solidity of the Danish conquests in districts where a kindred people was established. Essex, Sussex, and Wessex bear a Saxon settlement in their names. But the origin of the Saxons is strangely mysterious. They seem, from the strong nationality which carried them through so many wars, to have been a people, and not a mere federation. From their language, from their sea-faring life, from their great aptitude for dyke-making, and from the distinct evidence of Procopius, who calls them Frisians,¹ it would seem natural to refer them to the districts of Holland and North Germany, between the mouths of the Eyser and of the Rhine. But in this case we must probably assume, either that they had migrated from the interior at no very distant period, or that they sent conquering colonies up the great rivers into the heart of Germany, for local names, which seem to belong to the race, occur in modern Baden,² while an old Saxon kingdom was conquered by

¹ Or, at least, speaks of Brittia as divided between the Angles, Frisians, and Britons. *De Bello Gothico*, lib. iv. c. 20. In the mythical genealogies, Saxo and Friso are brothers. It is some confirmation of this relationship that many Frisians took service under Alfred. *A.S. Chron.*, A. 897. Asser, M. B., p. cdlxxxvi. Alfred,

however, places the country of the old Saxons to the east of the Elbe and Friesland. Alfred's *Orosius*, lib. i. c. i. 12. Perhaps that portion of the tribe had best preserved their name and nationality.

² Leo on Anglo-Saxon names, pp. 117-119.

Charlemagne in the heart of Germany. The great prominence of the Saxons in Kymric legends is explained by the fact that they were the first to penetrate into North Wales, and sustained the most stubborn conflicts in the south, and along the line of the Severn, with the natives. The Angles mixed peaceably with a kindred people in the east, and came into the north at a time when Saxon was already the general name for stranger and enemy. Their greater numbers, and the early prominence of the Northumbrian kingdom, perhaps explain why they have stamped their name upon the land. But at the time of the invasion differences of civilization and language were probably very slight between races of the same great family, and Angles and Saxons would have more in common than natives of Jutland and Holstein in the present century. Mercia, or the March country, was the meeting-ground of the nationalities, and the inconsistencies of its history, which wavers from Briton to Saxon, and from Saxon to Dane, are best explained by the want of a common origin in its people.¹

¹ Mr. Kemble's Appendix on English Marks shows how freely names re-appear in different counties; compounds of Hemingas, e. g. in Yorkshire, Lincolnshire, Huntingdon, Suffolk, Northamptonshire, and Somersetshire; and of Manningas in Wiltshire, Yorkshire, Dorsetshire, Norfolk, Essex, and Herefordshire. Again, the Meonwaras of South Hampshire are an instance of Jutes settled among Saxons. Facts of this kind show that adventurers from the different tribes mixed freely in each other's enterprises, though perhaps we need not always assume that common names indicate a common

origin. The distinction of Saxon and Angle was present to the minds of all native writers down to the time when the Anglian kingdom was swamped by the Danes. How Mercia was peopled can never be known with precision. In Bede's time the Angles had pushed farthest into it. H. E., lib. i. c. 15; and Æthelbald of Mercia styles himself king "of all the provinces which are called South Anglian." Cod. Dip., 80-83. Yet the fortunes of the kingdom, its civilization and its alliances, connect it with Wessex. Probably the Hwiccas of Worcestershire were Saxon.

It is popularly assumed that the light-haired, blue-eyed, sturdy English peasant, represents the type of our Teutonic ancestors. The assumption is probably true, but is worthless for all purposes of distinction except from the Kymric tribes, as brown or red hair, blue eyes, a sanguine complexion, and in many instances a tall stature, characterized the Belgæ and other Kelts who peopled most of England proper under the Romans.¹ But the Britons seem, when tall, to have been loosely knit, and rather solid than sinewy when they were short; while the Saxon and Angle were long-limbed and muscular. The Kymro was the broader-chested of the two, and the Angle the broader-shouldered. Judging by the remains of the two races, the Anglo-Saxon had a less regular but a longer skull than the Briton, with a greater development of brain, especially at the base and back; while his massive under-jaw gave the stamp of strength to the face.² The *spatula* hand with a large palm, and short, straight, thick-jointed fingers, is rather that of a mechanician than an artist. Altogether, strength and energy, rather than sensibility or intellect, are the characteristics of the physique. These indications are confirmed by what we know from other sources of the race. The Anglo-Saxon laws, straightforward and sensible, are wanting in organic unity; and have clearly been made to suit the wants of the day rather than developed from a common core of thought. A vigorous self-reliance, a belief that laws are made for man, not man for laws, are quite as much at the bottom of this incompleteness, as any deficiency in

¹ Strabo, lib. iv. p. 278; M. B., found in the illustrations to *Crania Britannica*.
p. vi.

² Abundant proof of this may be

the creative powers of the mind.[†] It is difficult to judge the literature of the two great tribes as a whole; but so far as we can distinguish districts, the Saxon parts of the isle are almost barren of all except chronicles and theology. Northumbria was richer in thought. It produced one great historian, Bede; a single philosopher, Alcuin; and a great poet, Cædmon, whose name, however, has a very Keltic sound. These results are not in themselves contemptible for a country where all progress was suddenly cut short by the Danes, and at a time when night brooded over Europe. But the poverty of the national ballads and sagas goes far to show that the Anglo-Saxon race was deficient in fancy; its great epic, *Beowulf*, was derived from a Danish source; its richest legends belong to the border counties of the west and north; the real merits of our old poetry, reflection, pathos, and an earnest questioning spirit, bear the stamp of a thoughtful rather than an artistic character. But with this want of imaginativeness the great virtue of the people is connected: they had a wholesome reverence for facts, and spoke guardedly; their national hero was surnamed the Truth-teller. How this acted upon their institutions is seen by the system of Frank-pledge, or mutual police, which demanded an amount of confidence between man and man of which no other nation in those times was capable. The energy that did not waste itself in words found scope in action, and the Saxon was great in all the arts in which dogged patience subdues nature to its will; he excelled as a smith or a jeweller, and fenced off the foe, or shut out the ocean, with gigantic dykes. His nature, rather intense than broad, and prone to feed upon itself, was easily swayed by superstitious reverence for the unknown and invisible powers; and he

made atonement for sin with human sacrifices. But, except on these occasions, he was not cruel; he never learned from the Roman to fight man against man for the pastime of a holiday; he was greedy of money and fought for land and spoil, but not in wantonness;¹ he never made the duel a legal process; he admitted the unarmed suppliant to peace; in his war-poem he praised the king who was careful of man's life;² in his mythology he made the gods spare the lives of the very foes who were one day to destroy them.³ He had the vices of a barbarian—gluttony, drunkenness, and the coarser sins of the flesh; but he was not immoral in light-heartedness or on principle; he respected marriage and womanly purity; he never sang the praises of illicit love.

Yet the common phrases about Teutonic reverence for women have been somewhat loosely applied. Tacitus, living in a generation which read Petronius and remembered Tiberius, might well contrast the purity of the barbarian women with Julia and Messalina, or with the votaries of Isis. The northern nations were not yet blunted to the sins of great cities and of an over-wrought society; but they had not that sympathy with weakness which is the foundation of chivalry. The wife stood to her husband in the relation of vassal or child, not of equal; she came to her new home professedly neither by choice nor constraint, but by act of sale indemnifying her family; she received as her marriage present oxen and arms; the very symbols of marriage indicated her position of mingled honour and duty: she was lifted up in the air like a newly-chosen

¹ "The Saxon and silver go together," says Llywarch Hen; Villemarqué, *Bardes Bretons*, p. 187.

² *Beowulf*, i. 147.

³ See the *Legends of the Wolf Fenrir*, and of *Loki*. *Prose Edda*, 34-50.

king; she was taken on the knee, covered in the folds of the garment, and pressed to the heart like an adopted child. The marriage formula, whose very words have perhaps been preserved in our Prayer-book, warned her that she came to share her husband's dangers and labours.¹ In the old times a woman of family was expected to kill herself on her husband's funeral pyre; and though under Christian kings the suttee was abolished, the widow forfeited her dowry if she married again.² The only seeming inconsistency in this dependent position was the law which transferred the liability for her fine, if she shed blood, from her husband to her family; and this probably means, that she had been sold with a warranty, which the kindred had to make good. Under circumstances like these, the type of character in the Saxon woman seems to vary between two extremes: she is either the virago, who treads to her object through blood, an Eadburga or Ælfrida;³ or the patient housewife, submitting to every outrage, and fawning like a spaniel upon her oppressor, the Griselda or Maid Ellen of our early romances.⁴ In her relations to the state, she was still more circumscribed in heathen times; it is probable that she could not inherit, if there was any male heir; it is doubtful if her evidence was admissible in a court of justice.⁵ The mingled influences of

¹ Taciti Germania, c. 18. Grimm, Deutsche Rechts-Alterthümer; Formeln, Ehe. Palgrave's Eng. Comm., pp. cxxv. cxxxvi.

² Thus in the Völund-Saga, Brynild kills herself, and Gudrun is disgraced by not doing it. Thorpe's Northern Mythology, vol. i. p. 103. Laws of King Edmund. A. S. Laws, vol. i. p. 255.

³ "Women's counsel is ever cruel,"

says a Norse proverb. Dasent's story of Burnt Njal, vol. ii. p. 124.

⁴ The Gnostic verses speak out with a brutal plainness. "A rambling woman scatters words . . . a man thinks of her with contempt, oft her cheek smites." Codex Exoniensis, p. 387.

⁵ Grimm, Deutsche Rechts-Alterthümer, pp. 407, 408.

Christianity and Roman law raised her position, and placed her by the side of man in church membership and citizenship. We find Saxon queens and abbesses taking part in public business and signing charters; a superstitious value was even attached to the testimony of nuns: yet, in spite of this important change, the influence of women upon society is not strongly marked in Anglo-Saxon times; and the Amazons of Slavonic legend, the Keltic heroines of King Arthur's court, the Cornelias of Roman history, have no proper counterpart among any Germanic people. A resolute will and a strong hand were the best titles of the Saxon woman to respect.¹ The position of wives and mothers in England no doubt re-acted upon the family relations. It is a remarkable feature of Anglo-Saxon history that the race, when we first know it, has already ceased to be a clan or cluster of families. Of course this must be taken with some limitations, as relationship still carried with it the obligations of taking vengeance for blood, and of paying the fines incurred by the act of one of the kindred: but there are no traces of that *vendetta* which was the sombre glory of the Welsh. Perhaps no single cause has more largely contributed to the political progress of the English people than their freedom in the earliest times from the narrow family spirit. With nothing to restrict his marriages or friendships within

¹ I differ, with regret, from Mr. Kemble. Saxons in England, vol. i. pp. 232-3. But the high position he assigns to the Germanic women he supports chiefly by the part they took in war, and by their connection with religion as priestesses and goddesses. The first fact, I think, tells against their womanhood, and against its estimation in the tribe. Priestesses and

goddesses are common features, found in Gaul, Greece, and Syria, although only partially naturalized in Rome. M. Renan, in his *Essais*, p. 385, has vindicated the claims of the Keltic races to creating the chivalrous ideal of woman. Baron Haxthausen, in his *Russia*, has commented on the superior position of Russian to German women in the nineteenth century.

the limits of previous connections, the Anglo-Saxon has wandered freely over earth, conquering or colonizing, and certain to make a home where he settled down. In all this there is a little disruption of the ties between parents and children, a certain disregard of the sacred household gods; self-reliance and the love of adventure pass easily into hardness and over-readiness for change. But the state has gained incalculably by transforming clansmen into citizens; and the life of all nature is quickened when men traverse land and sea, mixing the blood of different races, exchanging the thoughts and experiences of distant countries, instead of clinging like lichens to their native inch of rock.

// It is difficult to apply such vague terms as civilized and barbarous so as to convey a definite impression. But it would be unjust to judge the Teutonic tribes of the fifth century by the low development of the mechanical arts among them. They were still and long continued to be impatient of the restraints of a walled city; land was held in joint proprietorship by the tribe;¹ and the invention of Runic letters was neutralized by the absence of writing materials.² On the other hand, they were good sailors and smiths; they could submit to discipline; their marriages were religious ceremonies, and their household life severely respectable; they had codes of laws, a regular gradation of ranks through which a man of the people could rise to nobility, a central government, a literature of war-songs and sagas, and a religion. Such a people can scarcely be called barbarous; but it had reached the point at which contact with higher modes of thought than its own was necessary, if it was not to stagnate or to retrograde.

¹ Taciti *Germania*, c. 16, 26. ² Kemble on Runes, *Archæologia*, vol. xxviii.

The three great ranks of the earliest Anglo-Saxon society were the noble by birth, the noble by service, and the free. To these, after the conquest of England, would be added the king, the free by service, and the slave. Kings like Hengist or Ælla were only captains of royal family, whom the lot had perhaps designated from among several candidates¹ as leaders in a difficult enterprise, and who had then achieved sovereignty by their conduct. As president of the national council, the king summoned it and directed its proceedings. As representative of the people at large, he disposed of the public lands, and entertained ambassadors. It is probable that in special acts his presence was necessary for the due performance of sacrifices.² But he was elective out of the royal family, and could be deposed at pleasure; he could only interfere at law where the local courts withheld justice; he had no standing army or police to enforce his will; above all, the modern sentiment of loyalty was unknown. The ealdormen, or high nobility, were pretty much on a level with their sovereign, and intermarried with his family; although with a pride of birth unknown to the emperors of Rome or Byzantium, the pettiest king of Teutonic race always aspired to an equal alliance.³ Dependent on the king, and on the nobles, were the gesith or thanes, recruited from needy men of good family, and from successful adventurers of the lower ranks. Each vassal was maintained by the lord whom he served; and the prizes of office were reserved for the upper ranks.⁴ But the rela-

¹ Bede, H. E., lib. v. c. 10. Alfred translates the three terms, Dictator, Consul, and General, by the word Cyning.

² Kemble's Saxons in England,

vol. i. pp. 146, 147.

³ Clovis and Offa are familiar instances. Greg. Tur., Hist. Franc., lib. ii. c. 28.

⁴ Taciti Germania, c. 13.

tion was not regarded as mercenary; it was rather a sort of clientship or fosterage; the *gesith* seem to have lived with their lord, and were for ever dishonoured if they came back beaten under any odds from the field on which he had fallen.¹ The freeman proper, or *ceorl*, was the man who had preferred to settle on his share of the land won in war to remaining in the retinue of his captain. The right to wear long hair, and to carry arms, distinguished him from the subject-people; and he received an allotment of land after the conquest. These portions would be continually subdivided as population increased. The old Teutonic remedies for this were two-fold: either the surplus population emigrated and conquered a new territory, and this process we may believe went on for many years in the inland districts of England; or the tribe made a fresh distribution of its lands from time to time. But this partition, which is easy enough in an open country of corn and grass-land, would be difficult in an old country with vineyards, orchards, and farm-buildings, such as studded England in the fifth century. It is just possible that the *folcland*, or territory which the tribe at first left unappropriated, was originally designed to satisfy the wants of future generations. But there is no evidence that it was ever thus applied, except indirectly, as nobles and monasteries obtained grants from the king, and assigned them in turn to their followers.

Distinct from the *ceorls* or yeomanry would be the free by service, or tenants, composed of the Romanized Britons who had submitted peaceably. How great the usurpation of land by the Saxons was we may judge, from the fact that the old *termini* or stone land-marks of

¹ Taciti *Germania*, c. 14. See Kemble's *Saxons in England*, vol. i.

estates, which must have existed throughout the country under the Romans, have completely disappeared,¹ and that in the earliest Saxon charters land is always defined by rocks or rivers, the natural boundaries. A few old laws, however, prove that there was a rent-paying British peasantry, who were probably assigned to the king or the ealdormen.² In process of time, as these men mixed with their conquerors, and the position of the *ceorl* was degraded, the line of demarcation between the two classes would be effaced. But the distinction between free and slave was eternal. Prisoners of war, the very poor who wanted support in a famine and sold themselves, criminals who could not pay their fines, or whose crimes could not be compounded for, were the first materials of this class; their children inherited their position; and in the last and worst times of the declining Saxon monarchy, freemen were kidnapped and slaves bred, in the recent Virginian fashion, to supply the market.³ But this last horror was unknown to the primitive people who worshipped Odin.

Yet Odinism, in the fifth and sixth centuries, was probably very different from what it became at a later date, when the Norse sea-rovers, in the vigour of national life, reconstructed the poem of their old mythology

¹ The Welsh term *maenol*, a manor, from *maen*, a stone, seems to imply that the termini were introduced into Britain.

² *Ine's Laws*, 23, 32, 74, distinguish the rent-paying Briton, "*Wealh gafolgelda*," from the "*Theow-wealh*," and from the *Wylisc* freeholder. The Northumbrian codes assess the Briton's *were* ac-

cording to the amount of land on which he can pay rent to the king. *W. G.*, 7. *A. S. Laws*, vol. i. p. 137. Towards the end of the ninth century, the compact of Alfred and Guthrum distinguishes "the rent-paying *ceorl*" from the Englishman and the Dane as an inferior. *A. S. Laws*, vol. ii. p. 155.

³ *Malmesbury*, lib. iii. p. 418.

upon Roman and Christian models. The great central ideas of the northern religion, the belief in a heroic struggle between the gods and the powers of nature, the prevision that good was to be overcome, and the faith that it was grander in defeat than evil could be in victory—these conceptions we may be sure underlie, however dimly, the earliest Saxon creed. Our fathers made the gods in their own image, with all the vices of savages, but with all the virtues of men; and judging the future from their own hard experiences of uneasy life,¹ they looked forward to the crash of the world without hope and without fear. But the better part of a faith, the germ of what is vital and true in it, does not often find an adequate embodiment in its rites. A superstitious reverence for chance, as the expression of invisible laws, made the priest a diviner, and threw a meaning over the common accidents of life; the falling of a stick, the neighing of a horse, the first words spoken by a stranger, were auguries.² In strange contrast with the morality of the people is the foul taint of impure symbols in their worship, the relics, no doubt, of early fetichism, but not the less debasing, because disguised under an aftergrowth of legend. Nor did the Teutonic tribes shrink from human sacrifices; captives taken in war, even a whole people, were sometimes immolated in gratitude to the gods; other victims preluded a great expedition; and at stated festivals, in a cycle probably of nine years, a mystical number of men and household animals was offered up to appease the

¹ The speech of the Thane in Edwin's council tells very much against any belief in a future life, at least for all men. Bede, H. E., lib.

ii. c. 13.

² Grimm, *Deutsche Mythologie*, p. 1064. Greg. Tur., *Hist. Franc.*, lib. ii. c. 37.

jealousy of the unseen powers.¹ It is scarcely probable that the abstract notion of an All-Father had yet been elaborated; the genealogies of the northern gods are a wild tangle of events and names to the last. But Woden, or Intelligence; Thor, the Thunderer; Seax-not, the God of War; the Sun God, Baldag (the Norse Baldr); Seator, who is strangely like Saturnus; and Freia, at once Cybele and Aphrodite Demosia, are among the more prominent names in the Pantheon. As for the lesser principalities and powers of the Saxon faith, they were infinite: weird sisters presiding over life, giants living in the forests, and dwarfs haunting the mines, household gods, and heroes over-topping common men, yet only half divine. Columns with sculptured figure-heads were probably the earliest statues;² and mounds surrounded with concentric ditches, and secluded in groves, the first temples.³ But the people took easily what they found to their hand, and worshipped the gods of Rome under new names, or profaned Christian churches with unholy rites. Yet if they were comprehensive, they were not tolerant; any desecration of a sacred place brought down a barbarous punishment on the offender; and if he escaped from men, an ineffable curse from the gods was believed to follow his steps.⁴ Their priesthood does not seem to have been a powerful or a numerous class; probably ecclesiastical and secular life were closely intertwined. The strength of the religion, apart from

¹ Grimm, *Deutsche Mythologie*, p. 478.

² Thorpe's *Northern Mythology*, vol. i. p. 284.

³ Grimm, *Deutsche Mythologie*, p. 72, quotes from the life of S. Ber-

tulf; "*fanum quoddam arboribus consitum.*" Compare Bede, H. E., lib. ii. c. 13, "*fana idolorum cum septis quibus erant circumdata.*"

⁴ Alcuin's *Vita S. Willibrordi*, c. 10. Frithiof-Saga, canto 14.

the fact that it was a product of the national mind, lay rather in its universality than in its organization. Every mount, and grove, and stream, had its appropriate deity; every solemn act of life its ritual; every meal was sacrificial; and a series of feasts throughout the year marked the seasons, commemorated the dead, or did honour to the gods. Christmas, Easter, May-day, and the Eve of St. John, preserved for many centuries the tradition of pagan observances under Christian names.¹

¹ In Thuringia, on the third day of Whitsuntide, a young peasant is enveloped in green boughs in the forest, and amid rejoicings conducted into the village. Thorpe's Mytho-

logy, vol. i. p. 284. "Eostur-monath . . . quondam a Deâ illorum quæ Eostre vocabatur et cui in illo festa celebrabant nomen habuit." Bede, De Temporum Ratione, cap. xv.

CHAPTER VIII.

THE ROMAN MISSION.

THE KINGDOM OF KENT. GREGORY THE GREAT. AUGUSTINE'S MISSION. DIFFICULTY OF CHANGING OLD HABITS. GREGORY'S TOLERANCE. FRUITLESS ATTEMPT AT UNION WITH THE BRITISH CHURCH. REACTIONS. NORTHUMBRIA. PAULINUS, EDWIN, AND COIFL. THE GAELIC PARTY OVERCOME. CONSTITUTION OF ENGLISH DIOCESES. CONNECTION WITH ROME. ARISTOCRATIC CHARACTER OF ENGLISH RELIGIOUS MOVEMENTS.

TOWARDS the end of the sixth century the Anglo-Saxon power was firmly established in Britain, and a number of petty kingdoms were struggling for ascendancy. Kent, having been the first conquered, enjoyed the prestige of old dominion, and the advantage of a firmly-settled government. Besides this, its position near the continent made it of great importance to the island generally. The old connection of Britain with Gaul had been steadily maintained through the two stormy centuries in which kindred Teutonic tribes had conquered kindred Keltic races in either province of the old empire; so that Saxons were settled in the modern provinces of Picardy, Artois, and Normandy, while the Welsh bard sometimes spoke of his enemy as a Frank.¹ Frank money, which was useless beyond the

¹ Rot. Scac. Norm., vol. i. pp. 141. Villemarqué, *Bardes Bretons*, xlii. xliii.; Preface by Mr. Stapleton. p. 107.
Taylor's *Words and Places*, pp. 139-

Alps, circulated in Hampshire and Kent;¹ a trade of some sort existed between the two coasts;² and Æthelbert, king of Kent, had married Bertha, a princess of the Franks. Æthelbert's importance has been a little exaggerated in history. It is doubtful if he ever enjoyed the purely Northumbrian title of "Bretwalda," or British King,³ or possessed more than an honorary supremacy over his Saxon neighbours in the south. But after a bloody defeat at Wimbledon, (A. D. 568), in which the fortunes of Wessex prevailed, Æthelbert, probably taking advantage of a civil war in the west, retrieved the independence of Kent, and took a high position among the sovereigns of his time. The first year of his reign had been disgraced by a bloody defeat from the forces of his neighbour, Ceawlin, at Wimbledon. But the king of Wessex was too well occupied in the west to follow up his successes against Kent, and Æthelbert bided his time till he could throw his weight into the scale of a civil war between Ceawlin and his nephew. The old hero of the West Saxons was driven out of the land he won for them, and died immediately afterwards in exile. His supplanter, no doubt, looked to Æthelbert for support, and the king of Kent seems also to have exercised substantial power in Essex, where his brother-in-law was nominal ruler.⁴ What his exact relation to his own subjects was cannot certainly be

¹ "Solidi Galliarum qui in terrâ nostrâ expendi non possunt." Greg. Epist., lib. vi. p. 7. Smith's Richborough, p. 214. Murray's Handbook of Hampshire, p. 142.

² This is probable both from the Merovingian coins found in England, and from the fact that we never hear that the missionaries had any difficulty in getting a passage.

³ Hallam on the dignity of Bretwalda. *Archæologia*, vol. xxxiv.

⁴ See the charter in which Æthelbert grants away Tillingham, in Essex, to Bishop Mellitus. It is spurious in its present form, but may testify to actual facts, the more so as a forger would have been more likely to insert the name of the king of Essex. *Codex Dip.*, 982. There

determined. But by this time it is probable that Briton and Jute were beginning to fuse in Kent, as we find old Roman coins imitated in the Saxon mint;¹ while local tradition assigns Æthelbert a palace within the walls of Canterbury, and afterwards in the fortified lines of Reculver.² The independence of the great cities would naturally be less jealously guarded as the king of the country adopted the common Roman culture, and gradually ceased to be regarded as a foreigner.

Meanwhile a great man was re-organizing the European Church in Rome. Gregory had been born of a rich patrician family, and to the traditions of gentle culture which his birth might give him he added the best practical education of the day, the study and administration of Roman law. But religion overpowered ambition, and Gregory, in the prime of manhood, having served the office of prætor, exchanged the world for the cloister. Fortunately his own restless energy, his superiors' sense of his great practical abilities, and the reverence of the people for his character, forced office and greatness upon him. He in vain attempted to escape as a missionary to Britain; the pope consented; but the people pursued and brought back the fugitive. In A.D. 590 he was made Pope. Like all great organizers, Gregory united strong contrasts in his character: a love of law and discipline, which sometimes made him intolerant, as when he taxed the Sardinian peasants into Christianity;³ a broad common sense, which made him temper his zeal where it met with obstacles; and

is a highly doubtful tradition that Æthelbert founded a monastery at Cratendone, near Ely. Hist. S. August. Cant., p. 109.

¹ Palgrave's English Common-

wealth, p. cclxvii. Smith's Richborough, p. 214.

² Stanley's Canterbury, pp. 21-27.

³ Greg. Epist., lib. iv. 26; compare lib. viii. 1.

large human sympathies, which have been commemorated in the beautiful legend that the soul of Trajan was granted to his prayers.¹ Such a man could not rest while a province like England, that had once been Christian, was lost to the Church; while the fair-haired Angles, whom the Jewish slave-merchant exposed for sale in the Roman market, were pagan. Remembering his own first projects, he sent Augustine, the prior of his old convent on the Cœlian Hill, with forty monks to Britain. But the missionaries halted on their way, disheartened by the reports they heard of a rude people, who spoke a strange language; they even sent back Augustine to beg for leave to return. "It were better," Gregory sternly wrote back to them, "that ye had not begun the good work, than that having begun it, ye should fail from it even in thought." The mission went on its way. Experience had shown that a certain outward show was required to impress barbarians: they advanced in procession to meet the Saxon king when he visited Thanet, chanting litanies, and bearing before them a picture of Christ and a silver cross. Æthelbert had assembled his court in the open air, that the foreign priests might not throw a spell over them. He was probably disposed in their favour by his Christian queen, but he gave them no further promise than permission to remain: "their words, indeed, were specious; but he could not promise lightly to desert the faith of his ancestors. Yet, as they had come from a far country to tell him what was true and best, let them stay as his guests, and make converts as they could."²

The ascendancy of civilized Italians over men just

¹ Dante, *Purgatorio*, canto x. v. c. 8.
John of Salisbury, *Polycraticus*, lib.

² Bede, *H. E.*, lib i. c. 23-25.

able to appreciate civilization, of men devoted to their faith over men who had outgrown old traditions, was soon felt. Æthelbert himself was one of the first converts; the court followed, and in a few years Kent might be called Christian. Only the Saxon nobles and yeomen had any need to be convinced, for the British population retained its churches, and even worshipped a favourite martyr, Sixtus, with a zeal that alarmed Augustine, who remembered that the true relics were in Italy.¹ It is remarkable that we hear of no opposition from a pagan priesthood;² and when a priest at last appears, some years later in Northumbria, he heads the movement against his own gods. The caste was not numerous enough to foster an intolerant conservative feeling, it was enlightened enough to appreciate the new doctrine, and it was perhaps attracted by the superior splendour and power which the Christian hierarchy enjoyed. Augustine's chief difficulties with his converts arose from the fact that their paganism had entered into their daily lives, and connected itself with family ties. What should be done with the heathen temples; whether the feasts were to be at once discontinued; how sacrilege was to be punished; whether cousins might intermarry, or a son marry his stepmother, are among the questions which the timid, somewhat narrow-minded monk, submitted to his superior. Gregory's answers on these points would alone suffice to establish his character for large-minded sagacity. He consented, with some reluctance, to let the heathen temples and festivals be baptized into the Church.

¹ This fact is preserved in the Benedictine edition of Bede. Stevenson's Bede, H. E., p. 65, note 14.

² Unless the "doctores," who per-

suaded Redvald to unite the worship of Christ and Odin, were priests. Bede, H. E., lib. ii. c. 15.

Many facts proved that the spirit of paganism was not easily exorcised from its old institutions. As for sacrilege, let the man who stole from want be let off with a light correction for his soul's sake; above all, never let the Church make any profit by the fines it imposes. First and second cousins had better not marry, because experience had shown that such unions were unfruitful; but marriage with a stepmother was forbidden in Holy Writ, and must be put down summarily. Generally, let Augustine adopt the good customs of any Church, and bind them up into a new order, without regard for authority.¹

The letter which contained these monitions was accompanied by splendid presents to the new Church and to the king. The Church received vestments and chalices, the true bones of Sixtus, with a profusion of other relics, and a collection of books, consisting chiefly of the Bible, Gospels, and Psalters, some patristic commentaries, and a few lives of the saints. A saddle studded with jewels, a silver mirror, and an embroidered shirt were among the presents to Æthelbert.²

The Welsh Church had maintained a vigorous vitality during all the disasters of the Welsh and Devonians, till the three bishoprics St. David is said to have founded had been increased to seven, which acknowledged a common government. But their labours had been confined to their own countrymen. They are accused of sullenly delighting in the prospect that their enemies would be tormented in hell; and it may be doubted if a Saxon king would have tolerated an alien bishop in

¹ Bede, H. E., lib. i. c. 27. For other proofs of Gregory's sound sense and superiority to monastic pre-

judices, see the answer to question 8.

² Hist. Mon. S. August., pp. 96, 102, 115.

his capital, or if Saxon soldiers would have listened to a Welsh missionary. Italians came with a prestige which no native of a conquered race could possess, and there was nothing then to dread from Roman influence in England. Now, however, as the faith accepted by Æthelbert was certain to enjoy toleration, it was important that the two Churches should act in concert among the heathen. Fresh from the large-minded counsels of Gregory, Augustine made up his mind to great concessions, but he felt that three points were too important to be sacrificed: the Britons must celebrate Easter at the Roman time, baptize according to the Roman ritual, and send missionaries to the Saxons.¹ At the first congress held to debate terms, the British delegates were convinced by a miracle, but pleaded want of authority to conclude a treaty. At the second meeting the new envoys, with characteristic superstition, referred the question to the decision of an omen: if Augustine should rise to meet them, they would yield to his arguments; Augustine remained seated; they concluded that he had not the Spirit of God, and refused compliance with his demands. The bitterness of this rupture was seen a few years later, when the Saxon Church exulted over a massacre of Welsh monks as God's just judgment upon His enemies.² To ourselves, with every allowance for the importance of unity at a time when the Church was struggling for

¹ Bede, H. E., lib. ii. c. 2. The question of the tonsure does not seem to have been mooted at this interview. It is worth while to observe that the British Church probably did not differ as widely as the Eastern from the Latin practice; that is to say, they did not make

Easter fall on a week-day, but on a different Sunday. Life of St. Augustine, pp. 214-5, in Lives of the English Saints. Bede, H. E., lib. iii. c. 28.

² Bede, H. E., lib. ii. c. 2. Augustine had prophesied this fate to them.

existence, the prominence attached to such a question as the time of Easter would be ludicrous but for its bloody associations. It is difficult to understand how an able man like Bede, who did justice to the merit of his opponents, could talk of the Easter controversy as a question "which moved the hearts of many who feared lest in spite of their Christian profession they should yet run or had run in vain."¹ It seems as if, in the imperfect development of the critical faculties in a semi-barbarous people, there was absolutely no distinction between the doctrine and the ritual of a religion. All was sacred that regarded God, and it was equally sacrilege whether a coping-stone or a foundation-stone of the church were removed.

Before Augustine's death, in A. D. 605, Kent and Essex, where a nephew of Æthelbert was king, were nominally Christian. But the convictions of the people were not deeply seated; re-action followed re-action; and the battle-field of faith was lost and won several times in a century. Æthelbert's successor relapsed into paganism, (A. D. 616), because the Church refused to let him marry his stepmother; while at the same time the Æthelings of Essex expelled the missionaries for refusing to give them the white communion-bread when they were not communicants. The bishops were flying in dismay when Eadbald of Kent was retrieved to the Church by the primate Laurence, who showed himself in the palace bleeding from the scourge with which St. Peter had punished his intended flight. Yet even in the next reign, under Earkenbriht, (A. D. 640-664), the destruction of idols had to be twice ordered. Essex was still more slowly converted, and in A. D. 653, a

¹ Bede, H. E., lib. iii. c. 25.

plague, which seemed to announce the anger of the deserted gods, sent the people back to heathenism.

The connection of race which united Kent to the East Anglians and Northumbrians, explains the eastern and northern track which Christianity took in England. Redvald, king of East Anglia (A. D. 586-624), became acquainted with Christianity in Kent, but was persuaded by his wife and wise men to retain his old altars, and only worship Christ as a new god.¹ It is the first authentic mention of a process of development which purified and rationalized Odinism during several centuries. It had an accidental importance of another kind. Among the residents at Redvald's court was a fugitive prince from Northumbria, Edwin, whom Æthelfrith, a military usurper, had driven from his dominions, and now demanded from his protector. For some hours the fate of the fugitive was doubtful. But Redvald finally determined to obey the claims of honour, and marched with a few troops to defend his dominions against Æthelfrith. A great battle, near Retford on Idol, destroyed the Northumbrian army, and restored Edwin to his principality. He became the greatest king of his times; not only the Angles north of the Humber, but all the Britons of Cumbria obeyed him; and the neighbouring princes of Mercia and Wales were his tributaries.² Having lost his first wife, he sent proposals to the court of Kent for Æthelburga, the sister of Eadbald, who was then on the throne. There was some question whether the princess ought to marry a pagan, but Edwin

¹ Bede, H. E., lib. ii. c. 15.

² Edwin subdued all Britain; the Kentish men alone excepted. A. S. Chron., A. 617. This can hardly mean more than a nominal supre-

macy; his ally, the East Anglian king, was probably never attacked; and his war in Wessex, A. D. 626, is more like a successful raid than a conquest.

promised she should enjoy full liberty of belief and practice, and held out hopes that he might himself be convinced. Nevertheless, the queen's chaplain, Paulinus, found at first that he made no proselytes in the court, and could scarcely prevent her retinue from relapsing into the heathenism they again saw around them. He seems to have devoted himself to the king. A wonderful escape from assassination, a signal victory over the West Saxons, even the birth of a prince, were claimed as the result of prayers to the Christian God. Pressed by homilies and prayers, Edwin wavered, and promised to turn Christian, but shrunk from the risk of a precipitate move. Suddenly Paulinus stood before him, laid his hand on his head, and reminded him of a dream on that anxious night in Redvald's court, when Edwin had sat down to sleep on a stone, expecting to be betrayed, and yet seeing no hope in flight. An unknown man had then appeared, and had promised safety and future sovereignty, only stipulating in return that Edwin should obey his commands whenever he should appear to enforce the claim by the sign of laying his right hand on the king's head. The bold assertion of Paulinus, that this covenant had been made with his Divine Master or himself, convinced the Northumbrian king; he acknowledged the promise that he had given, and pledged himself to carry it out. How Paulinus had obtained his knowledge was a mystery to Bede, who conjectures a miracle. It is more likely that the story came from the queen, or from some old friend to whom Edwin had once confided it.¹ What we know of Paulinus would not lead us to suppose him overscrupulous

¹ A friend had been with Edwin on the occasion in question at the court of Redvald. Bede, H. E., lib. ii. c. 12.

in his assertions about Divine Providence, or incapable of a stage-trick, if it served the purposes of religion.

But however obtained, the conversion of Edwin was as important for England as Constantine's had been for the Roman world. The Northumbrian king assembled his Witan at Godmundham in the East Riding, and asked their advice on the expediency of a change of faith. Coifi, the high priest, instantly spoke against the value of the old creed: no man, he said, had worshipped the gods more diligently than he, yet many had received greater rewards; he was ready to join at once any faith that promised him advantage. There can be little doubt that Coifi's hopes of worldly promotion were answered; men of his temper are pretty certain to find or make the opportunities of success.¹ Very different in spirit was the speech of one of the ealdormen. "The present life of man upon earth seems to me, O king, in comparison of the time which we know not of, as when, while you are sitting at supper with your ealdormen and thanes at Yule-tide, with the fire lighted in the midst, and the hearth warm, but with all the storms of winter, rain or sleet, raging outside, a swallow comes into the house and quickly flies through it, entering in at one door, and presently going out at another. Just while he is within he is untouched by the storm, but after a short moment of fair weather he goes forth from storm to storm, and passes out of sight. So we see a little of this life of man, but know not at all what is to follow,

¹ Yet Symmachus, who was no time-server, uses very similar language: "Accedit utilitas quæ maxime homini Deos asserit. Nam cum ratio omnis in operto sit, unde rec-

tius quam de memoriâ atque documentis rerum secundarum cognitio venit numinum." Woodham's Ter-tull., Apolog., p. lviiii.

or what may have gone before. Wherefore, if this new teaching hath brought us any more certain tidings, it deserves to be followed." The speech expresses beautifully that natural and vague yearning after some knowledge of the invisible world which we may well believe would be felt by a thoughtful people. The other counsellors assented; Paulinus, at Coifi's suggestion, preached to them; and Coifi, at the end of the sermon, proposed to desecrate the neighbouring temple. Armed, and mounted upon a horse, in violation of his priestly character,¹ he rode to the shrine and hurled his lance against it. No miracle avenged the insulted gods, and the people, who had flocked to see their mad priest, accepted the omen of success, and burned the temple and its sacred hedges. Soon afterwards Edwin and his court were baptized. (April 12, A. D. 627). Paulinus became primate of a new diocese, and the people flocked in hundreds to be made Christians.

From this day the success of Christianity was only a question of time. Redvald's son, the king of East Anglia, was persuaded by Edwin to adopt as an exclusive faith the Christianity his father had patronized as an eclectic. The Saxon kingdoms of Sussex, Wessex, and Mercia were less quickly converted than the Anglian. In Sussex, which was shut out from the world by the huge Andred's wood, which was its march north and west, two centuries of unalloyed Saxondom had reduced the people to such barbarism that they could not even fish, and a three years drought drove them to com-

¹ The Northumbrian priests might only mount mares, and were forbidden to carry arms. This would seem to confirm the conjecture that Coifi was a Briton, for the Druids

were forbidden to carry arms. Villemarqué, *Bardes Bretons*, p. xxvi. In the twelfth century it was considered disgraceful for a knight to ride a mare.

mit suicide in companies of forty and fifty. Bishop Wilfrid, an ardent missionary, civilized while he instructed the wretched people, and was deservedly repaid with a grant of land at Selsey. His first care was to baptize the slaves on the estate, 250 in all, men and women; his second, to give them their liberty. He then founded a monastery for the brothers of Lindisfarne, who had shared his fortunes when Ecgfrid of Northumbria had driven him into exile.¹ The inland position of Mercia excluded it from continental influences, and both Mercia and Wessex were engaged in constant wars with the Christian Britons and Angles. Yet, as early as A. D. 658, the midland counties gave employment to one bishop; and in A. D. 688, Ceadvalla, of Wessex, who had been pagan when he became king, only four years before, renounced his crown and retired to die within the holy walls of Rome.² It is noticeable that Gaelic missionaries, such as Aidan, Colman, and Diuma, took signal part in the conversion of the north. But their appearance revived the disputes about Easter, to which the grave question of a circular or semi-circular tonsure was now added. (A. D. 664). In a great synod at Whitby, in Yorkshire, king Oswiu presided over a conference, in which delegates from either side were heard. The Gael claimed the precedent of St. John, while the Roman party declared that St. Peter had instituted the full tonsure. The king asked if the disputants were agreed as to the side which St. Peter espoused; and learning that this

¹ Bede, H. E., lib. iv. c. 13.

² Ceadvalla was not the first Christian king of Wessex, for Cynegils is said to have been baptized in A. D. 635. But there must have been a relapse, probably through the in-

fluence of Penda. Ceadvalla made a pagan vow to exterminate the people of the Isle of Wight, but seems to have been converted before he conquered them. Bede, H. E., lib. iv. c. 16.

was beyond dispute, declared that he would never offend the saint who sate at the doors of heaven. This decision ended the controversy, and the Gaelic faction acquiesced or gradually died out or withdrew to their native land.

Gregory, when he sent out his missionaries, had divided beforehand the country he meant to convert. He fixed upon York and London, known to him probably as the Roman capitals, as the seats of two archbishops, each of whom was to have under him twelve suffragans. The division was clearly imperfect; the Pope had thought of England as an island no larger than Sicily;¹ and did not know that York was only the metropolis of a third of the country. Other circumstances interfered with the execution of the scheme: the English kings took a pride in attaching bishops as chaplains to their court; and thus dioceses grew up irregularly with only the general feature of large boundaries. Down to the time of the Danish wars there were only seventeen in all: and out of these only four in the northern archiepiscopate.² Again, Canterbury, as the residence of the first Christian king, supplanted London; and sharing the fortunes of the Saxon monarchies, usurped the whole of the country south of the Humber. But if in little matters of detail Gregory's plan was not carried out, there can yet be no doubt that the Anglo-Saxon Church looked up to Rome as its original, and as its ultimate court of appeal. In troublesome times communication might be suspended; the whole connection was perhaps regarded as settled by custom, which no one cared to dispute, rather than as matter of abstract right. In fact, it would be easier to prove the devotion of the

¹ Stanley's *Canterbury*, pp. 29, 30.

² Kemble's *Saxons in England*, vol. ii. p. 362.

Saxons to Rome than their dependence upon it, though the latter no doubt was real. There is one instance on record where the primate adhered to the fortunes of a fallen pope, and did not attempt to conciliate his more fortunate rival.¹ But the pilgrimages of Anglo-Saxon kings, and a nameless number of the people, to Rome; the dues self-imposed to support a hospice there; the fierce zeal of Boniface for the papal claims, are all proofs of a filial sentiment to the august mother of their faith.

One point remains to be noticed. It is remarkable that in every instance the Anglo-Saxon king and court were converted before the people. This had not been the case in the south of Europe, where the movement had spread upwards from the lower ranks. The explanation is to be found in the thoroughly aristocratic character of society in the Germanic tribes; and the same fact holds good of every country that became Protestant in the sixteenth century. It followed naturally, that while the Christian priesthood in Gaul had been the stronghold of the oppressed Romanic nationality, its highest offices in England were from the first coveted and obtained by the Anglo-Saxon nobility.² A close connection of church and state was one consequence of this: nowhere else was the priest so good a citizen as in England. But neither was the tendency to turn church endowments into private property so early manifested in any other country.

¹ The instance of Stigand, the last Saxon Archbishop of Canterbury.

² Simeon Dunelm, M. B., p. 658.

CHAPTER IX.

FEDERAL MONARCHIES.

STRUGGLE OF ANGLES AND SAXONS FOR SUPREMACY. KENT, NORTH-UMBRIA, AND MERCA. GROWTH OF THE WEST-SAXON NATIONALITY. OFFA'S CHARACTER AND CRIMES. HIS POLICY PROVINCIAL RATHER THAN NATIONAL. CHARLEMAGNE'S RELATIONS WITH ENGLAND. FORTUNES OF OFFA'S FAMILY.

BY the beginning of the seventh century the Angles and Saxons had no longer anything to dread from the Britons of the north and the west. That nationality was still strong enough to be useful in alliances, or formidable in rebellions; but its hopes of restoration to power were only sustained by prophecies which the events of the last century and a half had refuted. The conquerors, therefore, were no longer bound together by the necessity of concerted action in the field. Their method of conquest had been by a series of small expeditions, in which the chief, if victorious, carved out a local sovereignty for himself; and if hard pressed, was sustained by his countrymen in the rear. England had thus been broken up into a number of little kingdoms, each of which recognized the chief potentate of the district as lord-paramount. It was natural that the suzerain should try to assert unconditional sovereignty over his vassals; either taking advantage of their misgovernment to depose them, or dispossessing them of their lands by the law of the sword. As the people's con-

ception of kingly government widened with the necessities of the times and advancing civilization, the land could not bear the burden of two petty sovereigns in a single province such as Kent.¹ Hence the history of the Anglo-Saxons during the seventh and eighth centuries represents little more than the absorption of counties into provinces, and of provinces into kingdoms. But another subtler and deeper principle than the mere ambition of princes divided England against itself. Two great races of Teutonic origin had conquered the island from the cities and the tribes. The Angles entered chiefly on the north and east; the Saxons struggled inwards from the south. It shows the permanence of the old system, that when chaos gave way to order, and the dukedoms were swallowed up in kingdoms, the Roman divisions were pretty accurately preserved in the limits of the three great sovereignties which successively rose and fell in England. The Anglian province of Deira and the Saxon of Wessex, after it had absorbed Kent, are the *Maxima Cæsariensis* and *Britannia Prima* of the Romans. The midland and eastern counties, making up the Roman province of *Flavia Cæsariensis*, were united under Offa in the Mercian kingdom. This union had been carried out by force and fraud against the will of the people, and was not destined to endure. The Jutes of Kent were too few and isolated to resist their Saxon neighbours. But the Angles of the north and east lay more compactly. They spoke a different dialect from the Saxons; their literature, to be currently understood, required translation into the Saxon idiom;² the greater

¹ Kemble's *Saxons in England*, vol. ii. p. 361.

² So I infer from the many differences noticed in Mr. Garnett's paper.

distinction of ranks in Northumbria points to different conditions of society;¹ and the early Christianity and high literary eminence of the northern province may induce us to regard the Angles as at first the more civilized people of the two. The war between Angles and Saxons for the sovereignty of England is therefore as clearly marked and as important as the earlier war of the two united races against the Britons. It was less bloody and bitter; it was not envenomed by the contempt of a strong for a weak race; in its beginnings it was scarcely more than the trial of strength which would certainly have taken place had all the invading people been of one stem. But it lasted till the coming of the Danes; it explains why the Danes were able to plant themselves with a hearty acceptance from the people in the Anglian districts; it is the secret of the weakness of England under every sovereign till the strong Norman yoke and the superimposed Norman nobility crushed Angle and Dane and Saxon into Englishmen.

The crests of a few leaders emerge here and there from the conflict of nationalities; its incidents are only "the battles of kites and crows," which Milton disdained to record. While the Saxons were still struggling in the

Philolog.Trans., vol. ii. p. 27. See also Rask's A. S. Grammar, s. 469; and Innes's Scotland in the Middle Ages, p. 251.

¹ The were of the West Saxon king to the thane was as six to one; of the thane to the ceorl as four to one. The were of the Northumbrian king to the thane was as seven and a half to one; of the thane to the ceorl, roughly, as fifteen to one. Ine's Laws, 19, 51: Of Wér-gilds. A. S. Laws, vol. i. pp. 115, 135, 186,

191. But this question of weres is very difficult. I have followed Mr. Allen in assuming that the were paid for Mul's murder by the men of Kent was 30,000 sceattas, and not shillings or pounds. But I do not feel sure that in Wessex as in Mercia the thane did not stand to the ceorl as six to one; the tariff for neglect of the *fyrð* may have been something exceptional. Allen's Royal Prerogative, pp. 177, 178.

west with the whole power of the British name, the Jutes and Angles had occupied parts of the country in which the people, once subdued, had no neighbours on whom they could call for support. A king of Kent is therefore the first supereminent king in England, and he is succeeded by the kings of Northumbria. The adoption of Roman ensigns by Edwin¹ shows that he was well disposed to establish himself as imperator if fortune should favour him. The attempt by a gesith of Cuichelm, king of the West Saxons, to murder the Northumbrian monarch, failed, as it deserved, and the forces of Wessex were crushed, with the loss of five of their princes. (A. D. 626). But before long the new power of Mercia was consolidated under a fierce warrior, Penda. The Saxons of Mercia and Wessex united with the Welsh under Cadwallan, and defeated and slew Edwin in a great battle at Hatfield, in Yorkshire. (A. D. 633). For two-and-twenty years Penda continued to make war against the Anglian name, as though he, like Cadwallan, designed to root it out. It is probable that hatred to the new faith of the Angles added bitterness to the war of race, for Penda was an obstinate pagan, and there are signs that Wessex, which he once overran, and which was certainly subject to his influence, relapsed into heathendom after two of its kings had been baptized.² The alliance of Penda with the Christian Cadwallan proves nothing, as the Welsh might prefer pagans to Christians who kept Easter on the wrong day. But it is difficult to understand why a faith, so imperfectly accepted as Christianity was by the Anglian converts, should have provoked such bitter hostility. To re-

¹ Bede, H. E., lib. ii. c. 16.

² Ceadvalla was a heathen shortly

before his conquest of the Isle of Wight. Bede, H. E., lib. iv. c. 16.

nounce horseflesh and to bury their dead were the hardest rules imposed by the new faith on its proselytes;¹ and they were so far from accepting its ascetic discipline, that when Penda, in the later years of his life, was forced to tolerate Christianity in his own dominions, he took a malicious pleasure in compelling the converts to live up to the standard they professed. But the inconsistency of the Christian and heathen ideals of life on the subject of peace and war was probably the great reason why the northern nations recoiled from a faith on which victory seldom smiled. To a superstitious mind, it might seem that the kingdom departed from every people who embraced Christianity. The Britons were beaten by the Saxons, the people of Kent by the pagans of Wessex, and the Northumbrians by the pagans of Mercia; just as in after times the Saxons lay at the mercy of the heathen Danes. These facts, which were paralleled on the continent, were assuredly not accidental. Barbarians who concentrate their whole energies on war have an obvious advantage over a people who are settling down into citizenship. Besides this, there had been a real want of manliness in the subject nations of Rome who first embraced Christianity; the Church had taken the taint; and while it triumphed in the long roll of kings and princes who exchanged the crown for the tonsure,² a want of states-

¹ Bodies are sometimes found which have been charred, and not burnt, as if to evade the prohibitions of the Church. See an article by Mr. Kemble, *Archæological Journal*, vol. xii., On Burial and Cremation, no. 48, Dec. 1855. Olaf Tryggvason calls the Swedes "horse-eaters," contemptuously. Dasent's *Norsemen*

in Iceland. *Oxford Essays*, 1858. When Iceland was converted, the new converts were allowed, and had probably stipulated for, the rights to eat horseflesh and expose their children. *Kristni-saga*, c. xi.

² Ceadvalla and Ine of Wessex; Offa of Essex; and Ethelred of Mercia, are instances of reigning

men and soldiers weakened the commonwealth. But within the ruins of the old order lay the germ of better things; new races of conquerors brought with them the never-dying instinct of war; and found a system of law and philosophy, a belief in peace as grander than murder or rapine, in fact, the whole substructure of civilization maintained or restored by the Christian Church.

Christianity, however, had its occasional revenges in the battle-field. On the death of Edwin, the two eldest sons of Ethelfrith, by the British princess, Bun, emerged from Aidan's court, and were accepted kings of the Deirans and Berenicians. There had probably been a reaction to the old gods after Edwin's terrible defeat, and the two princes at once apostatized. Both perished by Cadwallan's arms within two years. The king of Gwyneth was now master of Northumbria, but he used his power as a tyrant, not as a conqueror. Oswald, half-brother to the slain princes, collected a small army and attacked the enemy near the Roman Wall at Deniseburn, by Hexham, (A. D. 634). For seven days, we are told in Aneurin's poem, the battle raged around Kal-traez. The faithless Bun, the Beauty of havoc, was present among the Angles, taking vengeance for her lost children. At last the field seemed to be won, and the Britons celebrated their victory with a banquet. But the flight of the Angles had only been a feint: they returned and surprised the Britons, heavy with mead. A terrible slaughter decided the fate of the north; and of 363 chiefs wearing the gold collar, only three escaped the sword.¹ These half-mythical details,

princes who became monks. Within two hundred years, thirty Anglo-Saxon kings and queens embraced

a conventual life. Munford's Domesday of Norfolk, p. 96.

¹ Mr. Nash's arguments "On the

by an eye-witness and actor in the battle, attest the greatness of an event which shattered Cadwallan's power, and separated the Picts of Galloway from the fortunes and rule of the Cambrian dynasty. Oswald raised the first cross over the first Christian altar in Berenicia, to commemorate his victory.

Penda now resumed the war against Northumbria. He slew Oswald in a great battle at Maserfelth (A. D. 642), and reduced his successor, Oswiu, to such extremities that he offered to pay tribute as the price of peace. The offer was refused, and Oswiu, rallying a few troops, defeated the Mercian army near Winwed, their ally, the king of Gwyneth, having fled in fear or treachery during the night (A. D. 655).¹ The old pagan, Penda, who had killed five Anglian kings in battle, was among the slain.

The Mercian power was broken for a time, but Oswiu did not push his advantages. He concluded peace with Peadar, Penda's son, and the introduction of Christianity

History of the Battle of Caltraeth," Cambrian Journal, 1861, seem to me to prove that it must be referred to a later date than the reign of Owen, Urien's son. This granted, there are two great battles, that of Deniseburn, A. D. 634, and that of Winwed, A. D. 655, with either of which Kal-traez (battle-strand) may be identified. Mr. Nash prefers Winwed. I incline strongly to Deniseburn for several reasons. (1) It suits better with the age of Aneurin, who seems to have lived about the same time as Taliesin. Nennius, c. 62. *Bardes Bretons*, p. 315. Now, Taliesin lived in the reigns of Urien and Owen. (2) It agrees better with the age of Bun, whose beauty would scarcely have been celebrated

thirty-eight years after her husband's death. (3) It suits the locality, being near a river, which Winwed or Campus Gai may or may not have been. (4) It was a British fight, the tribes of Galloway and Cumberland fighting under a king of Gwyneth. I can scarcely think that all mention of allied Angles and their sovereign would have been avoided, had they been present. (5) At Winwed only one British chief escaped, Catgabail Catguommed, and he dishonourably going away at night with his host. At Kal-traez three are said to have cut their way out. *Villemarqué, Bardes Bretons*, p. 283.

¹ Nennius, c. lxii.

into Mercia was in all likelihood the condition of the treaty. Wulfhere, Peada's brother, is called Oswiu's brother in baptism; and a great monastery was founded at Medeshamstede by Oswiu and Peada together. Yet Northumbria never really retrieved its lost supremacy. Perhaps the long war had disorganized it, and retarded the growth of law. But the savage nature of the people, who would burn an unpopular ruler alive, was the chief cause of weakness; the country was torn by civil war; and out of fourteen kings who reigned during the eighth century, seven were slain, and six banished, by their subjects. The Saxon districts had time to consolidate their power. After a fierce war, in which Mul, an Ætheling of Wessex, was burnt alive by the men of Kent, the royal line of Wessex succeeded (A. D. 686-697) in reducing the Isle of Wight, and in forcing Kent to recognize their supremacy and pay the were-gild for Mul. Ine, who achieved this last success, was a legislator as well as a general; and his laws show a desire to do even justice between his British and Saxon subjects, whose relations were still difficult. In fact, the times of Devonian independence were too recent to be forgotten. Alternately gaining and losing ground, the Britons under Dyvnval Moelmud, at the end of the sixth century, were lords from Malmesbury to the Land's End; and Geraint, Ine's contemporary, was addressed by St. Aldhelm, Ine's relative, as "the most glorious Lord of the western kingdom."¹ The fate of battle turned finally for the Saxons, and some of the conquered people fled before them into Armorica, where an envoy from Ine sought them out, and invited

¹ Welsh and English rule in Somersetshire, by Dr. Guest. *Archæol. Journal*, 1859, pp. 129, 130.

them to return.¹ From policy no less than devotion, the Saxon king placed Aldhelm in a new bishopric, which included the conquered west. But the statesman was gradually absorbed in the saint. After liberal benefactions to monasteries, Ine, like his predecessor Ceadvalla, resigned his royalty, and went as a pilgrim to Rome.

Anglo-Saxon royalty had in its first beginnings been nothing more than the presidency of a warlike nobility, and the chiefs easily resumed their power if the heir to the throne had no better title to rule than his kingly birth. Ceadvalla had rescued Wessex from an usurping multitude of princes, and after Ine's death the western sovereignty again fell into abeyance, under a series of titular kings. Nevertheless, the province retained a sufficient sense of its national life to preserve itself by a desperate struggle from absorption into the Mercian kingdom, which flourished during the eighth century upon the dissensions of its neighbours. Æthelbald was the first great Mercian king (A. D. 716-757), and although beaten back from the south by a revolt which his exactions had provoked, he was probably suzerain of England to the last. His death, by the hand of traitors, opened the way after a short interval for the accession of the Ætheling Offa. Offa's forty years' reign is the first orderly epoch in Anglo-Saxon history, during which the country could be said to take rank as a single power with the states of the continent. Yet the brief and uncertain notices which we possess of the king, although mostly derived from the friendly pen of a monk whose monastery claimed Offa as a founder, do not give us a very high idea of his character. Unscru-

¹ Villemarqué, Barzas Breiz, vol. i. p. viii.

pulous rather than daring, crafty rather than statesman-like, he trod to power through crimes which revolted the moral sense of a barbarous age, and which established neither a system nor a dynasty. His most lasting work, if it be his indeed, was a fortified dyke¹ from the Dee to the Severn, to restrain the forays of the Welsh. Roman precedent might have shown that brave men are the only impassable lines; but Offa's dyke, if it failed to secure the frontier, was useful as a march, which the Welsh were never to overstep without a sense of violated law. Successful wars against Sussex, Wessex, and Kent, confirmed Offa's suzerainty in the south, and prompted him to a greater enterprise. The kingdom of East Anglia appeared by position to belong to Mercia; but Offa shrunk from the attempt of rectifying his frontiers by war. Unhappily, (A. D. 792), Æthelbert, the Anglian king, disregarding his mother's advice, came to his powerful rival's court as a suitor for his daughter's hand, hoping probably to disarm hostilities by alliance. The royal suitor had received a promise of security; he was welcomed with lavish hospitality; and was foully murdered on the very night of his arrival. Offa's queen, Cynedrida,² is described as the Jezebel who suggested or even ordered the villainous act; but the horror and remorse which the king is said to have felt did not for a moment overpower his practical instincts: he annexed the kingdom bereaved

¹ The first authority for this is Asser, M. B., 471. As a Welshman, he might know the local traditions, but his testimony is a little late.

² Matthew Paris has left biographies of two Offas: the Mercian king and an ancestor. They are clearly different versions of the same

life. But in the first, Offa's queen is an innocent and wronged heroine; in the second, she is a French princess who has been exposed for her crimes, gains admittance by a false story to the court, and obtains a fatal ascendancy over the king.

of its lord to Mercia; and though he suffered it to be ruled by a separate prince, he changed the dynasty for a foreign stem that had no roots in the soil.¹

But Offa's most daring attempt was directed against the established Church order. A Saxon and Mercian king, he felt that his sovereignty was deprived of half the prestige due to it while the two archiepiscopal sees were at Canterbury and York. Moreover, as the mid-land provinces had been converted by missionary colonies, who penetrated them from every side, it would seem that the local patronage and endowments had frequently, from a sense of gratitude, been attached to the old foundations in Kent or Wessex from which the preachers had gone forth. Offa took advantage of the presence of two legates from the pope, who had been sent to reform the discipline of the Anglo-Saxon Church, and obtained permission to establish a third metropolitan see at Lichfield. Of his own authority he transferred a portion of the lands enjoyed by foreign beneficiaries to his new foundation.² Each of these changes was reversed, without any sound reason, by Offa's successor. They are chiefly important, therefore, as showing the king's design to place Mercia on an equal footing with its neighbours, as if he despaired of reducing all under a common yoke. It is precisely this local sentiment which makes his reign unimportant for English history. But his relations with the Church brought Offa into intercourse with the pope. The Saxon king is said to have visited Rome, and to have endowed the Saxon hostelry which had been established there for

¹ Capgrave's *Life of St. Edmund*, quoted by Palgrave, *Eng. Commonwealth*, p. ccxcix, asserts that Edmund was a prince of the royal line

of the old Saxons and came over from the continent.

² *Malmesbury*, lib. i. p. 119.

the use of students. Whether the legend be true of this time or of another, there is little doubt that the tax, afterwards known as Peter's pence, was at first nothing more than a payment for the maintenance of a privileged college and inn.¹

The times were critical for European society. The Saracens were pressing in from the south: they had scarcely been driven back from France; they still occupied or contested Spain, and threatened Italy. In the north, the war with heathendom had assumed the character of a crusade; and the Saxons, driven out of Westphalia, had taken refuge in Denmark, and were preparing to cover the seas, to conquer new kingdoms, and to revenge their ancient wrongs on the Christian name. The very existence of the Christian and Latinized peoples seemed bound up with the life of Charlemagne: wherever his sword pointed was victory; wherever his throne was established were peace and law; but his life lay behind, and the grave was opening at his feet. Between such a man and Offa there could be no sympathy, but there must also be no war; the hero had little in common with the assassin, but the great king of the east had a sacred cause, the interests of the world, in common with the great king of the west, as Charlemagne styles his neighbour with a certain stately condescension. Yet the relations between the two sovereigns were always difficult; English exiles were sheltered at

¹ Law x. of Edv. Conf., "as explained by the law of Gul. Conq., l. xvii. acquaints us that the possessor of agricultural stock of the value of thirty pence, being an Englishman, and of the value of eighty pence, or half a mark, being a Dane, was liable to Romfeoh, and that the pay-

ment by them of one penny acquitted their *bordarii* and herdsmen and servants. It appears also from the law of William that a payment by the lord of the manor was an acquittance for all who were in his demesne." Hale's Domesday of St. Paul's, pp. cxvi. cxvii.

Charlemagne's court; English merchants, wishing to evade the revenue duties as pilgrims, were imprisoned by the Frank custom-house officers;¹ and at last Charlemagne, indignant at the demand of his daughter's hand for Offa's son, broke off all communication between the two countries.² Friendship was restored, in part by the good offices of Alcuin, a scholar and divine, who had been attracted from Northumbria to live like an ancient Greek sophist in the court of the Frank emperor, teaching king and courtiers to think. It is among the strangest phenomena of the times that religion and learning were now flowing back on the continent from the west, and that missionaries like Gall and Boniface, thinkers like Alcuin and Scotus Erigena, were keeping alive the divine flame which had almost been crushed out in the ruins of the Latin world. This flux and reflux between east and west is among the causes of that wonderful unity which the civilization of different countries exhibits during the very centuries in which they seem most isolated.

Partly perhaps in penitence for the death of Æthelbert, partly as a resting-place for travellers on the high-road from York to London, the magnificent king, as Offa is called, had founded the monastery of St. Albans. It was the last great work of his life; he died A.D. 796, only four years after his victim. The chapel built over his body was swept away by the Ouse; and might be seen, men said, long afterwards, deep down in the river's bed.³ As the earth did not suffer him to rest, so a mysterious

¹ Malmesbury, lib. i. p. 129.

² *Gesta Abbatum Fontanellensium*, c. 16. Pertz. *Mon. Germ.*, vol. i. p. 291. Eginhard indirectly confirms the story, saying of Charle-

magne, "nullam earum, (sc. filiarum,) cuiquam aut suorum aut exterorum nuptum dare voluit." *Vita Kar.*, c. 19.

³ Wendover, vol. i. pp. 261, 262.

fate visited his crimes in his family. His only son, Ecgferth, died without issue a few months after his father; the blood-stained sceptre passed into another line. Of his daughters, one became an early widow, a second died in a cloister, and the third, Eadburga, had perhaps the most tragical fate any English princess has known. She had married Brihtric, the reigning, though not the lawful, king of the West Saxons. Jealous of one of her husband's favourites, and frenzied with the hereditary taint of murder in her veins, Eadburga poisoned a cup for her rival, which her lord accidentally drained. The West Saxons, in their grim horror of the crime, divested, by a prospective law, all queens to come of the honours of royalty. But Eadburga escaped from their justice to the continent. Appointed by Charlemagne abbess of a convent, she became a scandal by her life, and was expelled; the second disgrace was irretrievable, and she died a beggar in the streets of Pavia.¹

¹ Asser, M. B., pp. 471, 472.

CHAPTER X.

THE DANES.

EGBERT'S SUZERAINTY. ÆTHELWULF. FIRST APPEARANCE OF THE DANES. CONFLICT OF PAGANISM AND CHRISTIANITY. INFLUENCE OF CHRISTIAN IDEAS UPON ODINISM. LEADING FEATURES OF NORSE CHARACTER. EUROPE SAVED FROM IMPERIALISM AND ROTTENNESS BY THE DANES. SAGAS OF RAGNAR LODBROK, AND BEORN. DANISH CONQUEST OF NORTHUMBRIA AND ANGLIA.

THE consequences of Offa's death were soon felt by the Mercians. The ascendancy passed from them to Wessex, where the crown, left heirless by the death of the usurper Brihtric, had devolved on the rightful heir, Egbert, who had passed his years of exile at Charlemagne's court. The new king had fallen upon stormy times. The very day of his accession (A. D. 800) was chosen by Æthelmund, earldorman of the Hwiccas in Gloucestershire, for a fray across the frontier at Kempsford. The men of Wiltshire met him and defeated him in a great battle, in which both ealdormen were slain. The event was ominous of Egbert's fortunes. Yet more than twenty years elapsed with no great change of fortune among the Saxon kings, though a campaign of Egbert's with west Wales (A. D. 813) seems to show that Wessex had territory along the line of the Severn.¹ Meanwhile, Mercia had passed from the hands of its saintly king, Kenwulf, and his murdered child,

¹ The words of the Saxon Chronicle, A. D. 813, "Egbert harried west Wales from east to west," seems to

imply that he crossed from the line of the Severn.

Kenelm, to a new race of chiefs, who had no claim to descent from Woden, and who quarrelled so violently with the Church that for six years not even baptism was administered.¹ A great battle at Ellendune, in which Egbert defeated the Mercian army, was followed by the conquest of Kent. Essex, Kent, Surrey, and Sussex now acknowledged the supremacy of Wessex, and the Saxon provinces were thus consolidated into one. The East Angles implored aid against the oppressive Mercian rule. Before Egbert could assist them they were compelled to fight for their lives against the vengeful king of the Mercians, and slew him and his successor in two battles. Egbert profited by the event to annex Mercia, and carrying his arms beyond the Humber, received the submission of the Northumbrian princes. He was now lord paramount in Britain. The different provinces enjoyed their own laws administered by their own kings, but they were bound to contribute troops against the foes of their suzerain;² they perhaps paid a nominal tribute, and in the case of Kent, at least, an important public grant would be made by Egbert's authority, and only subscribed by the local prince.³ In sanctioning the acts of his Anglian vassals, Egbert indicated his title to authority by styling himself King of

¹ See a charter of Wulfred. Cod. Dip., 220, in which Kenwulf (the St. Kenulf of Florence) has evidently been confounded, perhaps by a clerical error, with Ceolwulf, who at least profited by the murder of Kenelm. Compare Charter 1034, which gives the date of the quarrel as after Kenwulf's death. Wulfred was evidently supported by Egbert. Cod. Dip., 1032, 1034. The story in Florence that Kenwulf mutilated a captive king of Kent is only found

in one copy of the Saxon Chronicle, (which, however, ascribes it to Ceolwulf,) and is due, I think, to an error of the scribe transferring the story of Pope Leo's mutilation. Malmesbury says that Kenwulf treated him with memorable clemency. Malmesbury, lib. i. p. 131.

² "Quando Ecgbertus Rex exercitum Gewissorum movit contra Britones." Cod. Dip., 1035.

³ Cod. Dip., 223, 224.

the Angles, or, it might be, King of the West Saxons, and of the province of which he was then dealing.¹ But usually he preserved the style of his ancestors, and simply subscribed himself King of the West Saxons. Monarchy in the ninth century was the lordship of a people, not the government of a territory;² and King of England, or King of Britain, are titles expressing facts which belong to a later age.³

Neither Egbert nor his successor Æthelwulf, who had been withdrawn from the service of the Church to discharge the difficult duties of royalty, are of any high importance in English history. Both seem to have been competent generals and popular with their subjects. But Æthelwulf, the pupil of Swithin, and who had been in orders as a sub-deacon till the death of an elder brother called him to discharge the sterner duties of royalty, united a weak character to the dangerous virtues of a saint. His devout liberality, which imposed a rent-charge on his kingdom for the Church,⁴ his pilgrimage to Rome, and his marriage, late in life, to a Frankish prin-

¹ "Ego E... Rex Anglorum: Ego E. rex Occidentalium Saxonum necnon et Cantuariorum: Ecgbertus Rex Gewissorum; ad remedium animæ meæ et omnium regum Christianorum gentis Anglorum qui ante me fuerunt." Cod. Dip., 223, 224, 1037.

² Professor Maine observes, "The descendants of Clovis were not kings of France, they were kings of the Franks. The alternative to this peculiar notion of sovereignty appears to have been—and this is the important point—the idea of universal dominion." *Ancient Laws*, p. 104. There are some exceptions to this rule in Kentish charters, possibly to distinguish the king from the *regulus*. Cod. Dip., 108, 113, 114, 135, 160, 190, 234.

³ The fiction that Egbert called himself king of England was invented at a very late period. Its first mention is in terms that ought to have shown its spuriousness: "Egbertus rex totius Britanniae in Parlamento apud Wintoniam mutavit nomen regni de consensu populi sui et jussit illud de cætero vocari Angliam." *Hist. Fund. Hosp. S. Leon Monasticon*, vol. vi. p. 608. It would seem, however, that Egbert has been confounded with Alfred in this deed, which is much later than Stephen's time. The name *Brittannia* is always used for the island in early charters; "tamdiu fides Christiana in Brittanniâ perduret," or, "apud Anglos in Brittanniâ." Cod. Dip., 140, 166, 242, 258, 261.

⁴ Cod. Dip., 1048.

cess only twelve years old, make his portrait a little more life-like, and explain why he failed to push forward the limits of the kingdom. Yet the times were not such as allowed either king or people to rest on the advance of their predecessors with impunity. Already under Offa the Danes had settled colonies in Ireland, where they were known as Ostmen; and thus coming into intercourse with the British tribes of the west, they cast as it were their arm around England, before they proceeded to strangle it. A few adventurers even sailed to Dorchester, (A. D. 787), and slew the town-reeve when he sought to call them to account. Ten years later we hear of their ravaging the Anglian coasts,¹ encouraged by the civil anarchy which desolated Kent, Anglia, and Northumbria, where the native line of kings was altogether or nearly extinct. Then came an interval of quiet, the result of their occupation elsewhere. But in A. D. 828 they appeared again in Somersetshire and on the east coast of Kent. At length after several successful raids, having sailed up the Thames, and plundering, as was their wont, they received a tremendous overthrow at Ockley in Surrey, (A. D. 851), and withdrew broken and dismayed, leaving the land a respite of a few short years.

It was not possible that this quiet should endure. The feud of Saxon and Angle still rent the land, at a time when unity was imperative. Æthelwulf's last years were distracted by a rebellion, in which his hereditary dominion, Wessex, took part with his eldest son against him; and Æthelbald on his accession, (A. D. 858), put himself in feud with the Church by reviving the pagan custom, and marrying his young and imperial

¹ "Populus paganus solet vastare reges dissentiunt inter se." Alcuini
piratico latrocinio littora nostra; et Opera, p. 78. Ep. 74.
illi ipsi populi Anglorum et regna et

step-mother. Swithin, bishop of Winchester, the great churchman of the day, was not only powerless to prevent this outrage on public morality, but appears surrendering church lands to the king.¹ But Æthelwulf was not even king of a strong or united country. His brother Æthelbriht ruled over Essex, Sussex, and Kent. Northumbria was in its normal state of anarchy, and Anglia was governed by a prince who ought to have worn the tonsure rather than the crown. On the other hand, the piracy of Denmark was animated by an idea, and organized by a code of laws, which framed the profession of murder and rapine into a civil polity. The Norse paganism had not originally been a conquering faith, like Islam; it did not seek to impose its doctrines upon the world: but when it was attacked in its shrines, when its feasts were proscribed, and its sacred days blotted out or transferred to another god, the rude instinct of the worshipper was quickened into fanaticism and revenge. Even the Christian missionaries were violently aggressive, and delighted in killing the sacred oxen or burning a temple;² but their new converts were beyond measure unruly and barbarous, slaying freely in God's honour, as they would have slain formerly in a private feud.³ "When Thangbrand set out to preach Christianity," says an old Saga, "Thorkell spoke most against the faith, and challenged Thangbrand to single combat. Then Thangbrand bore a rood-cross before his shield, slew Thorkell,⁴ and won

¹ Cod. Dip., 1058.

² Alcuini Vita Willibrordi, lib. i. c. 10. Sulpicii Sevéri Dialogus, lib. ii. c. 4, 5, 6. Dasent's Tales from the Norse, pp. xxxvii.-xxxix.

³ Bishop Frederic, the first mis-

sionary to Iceland, quitted the country in disgust, at not being able to restrain his first convert from murder. Kristni-Saga, c. iv.

⁴ Dasent's Story of Burnt Njal, vol. ii. p. 66.

the day." Thus the march of the new faith was the passage of a sword upon earth; and when the banner of the cross was the ensign of Charlemagne's army, and the excuse of all his attacks on native liberty, heathendom became another word for patriotism. To the Old Saxon and Norseman "the white Christ" was only a new Avatar, who claimed a higher power than the old gods;¹ even those who admitted his divinity would still murmur verses to Thor,² if their prayers were not granted by Christ. The whole conception of the conflict of faiths was therefore one of relative advantages much more than of right or wrong, and the Christian priests unhappily pressed this point in a way that disgusted the nobler minds among their adversaries. When Radbod, the Frisian prince, was already stepping into the font, he bethought himself of asking what fate his unbaptized ancestors were undergoing. "They are all burning in the flames of hell," was the ready answer of the monk at his side. "Wherever they are, I will be also," said the true-hearted chief, and straightway drew back into heathendom.³ In fact, the

¹ Thus, in Iceland, Kodran refused to be baptized till he had seen a trial of strength between the bishop and a sacred stone in the neighbourhood. The bishop intoned church hymns over it till it split in two. *Kristni-Saga*, c. ii.

² On a voyage to Greenland, the first ever made from Europe, the crew, who had been in want of food, found a whale; while they were eating it, one of the party said, "The red-beard Thor has been more helpful to us than your Christ. I have got this for my verses." Blackwell's *Mallet*, p. 257.

³ *Annales Xantenses*, A. 718. Pertz, vol. ii. p. 271. Compare Osian to St. Patrick:—

"Sad is the tale thou tellest me,
priest,
I worshipping God while the Feine
have no heaven.

Little joy would it bring me to sit
in that city (heaven)
Without Caoilte and Oscar, as well
as my father."

Book of the Dean of Lismore, p. 17.

moral aspects of Christianity in the ninth century were little better than those of Odinism. An unbeliever might fairly balance the persecuting tendencies of the one with the murderous instincts which animated the other; the acquisitiveness of the monks with the pirates' love of plunder; the cowardice and impurities engendered by the monastic theory with the manliness and martial training of the sea-rover. Christianity attracted men by the simple consistency of its narrative, and by laying open the invisible world; it supplanted Odinism, as peace and order in the long run must always supplant war: but its peculiar doctrines, the forgiveness of injuries, the inner spiritual life, are those which, even if the teachers understood them, the barbarous hearers were least likely to appreciate.

Again, in the fusion of men and ideas, the Norse religion developed a new life, and transfused a grander spirit into its old mythes. It had always been essentially human, conceiving the powers of nature under personal forms,¹ and regarding every tree and stone as instinct with hidden life; and it had been essentially manly, viewing the struggle against time and fate as the real life of the gods. Time and fate were to conquer in the end; but the Norseman still venerated, for he felt that there were greater things than success. In fact, the superstition of all strong characters, a belief in some supreme law directing the outward events of life, was combined with a belief in the entire freedom of will in its own appropriate sphere, the formation of character. Yet while Odinism, in these respects, takes perhaps the highest rank among all mythologies, it had hitherto

¹ Thus in Thor's visit to the Giants he meets the Earth, Fire, and Old Age. Prose Edda, c. 47.

wanted tenderness: and the very sentiment of proud despair with which it looked forward to the crash of the world, made it stern and sombre in its estimate of the unseen. It was now irradiated in its decline by gleams of love and hopefulness from Christianity. The old story of the death of Baldr, the sun-god, told how he struggled with Hödr, the god of war, for the love of the beautiful Nanna; Hödr triumphed through an enchanted sword; and Hel, the daughter of Evil, clasped the slain god in her inexorable embrace under earth.¹ Very different was the belief of a later century. In this, the sun-god appears the husband of Nanna, shedding life and light upon earth, and joy among the gods. But evil dreams warn Freia, the mother of the gods, of a dark fate impending over her son. She wanders through heaven and earth, and binds all nature with a sacramental oath, never to harm the sun-god; only she forgets to pledge the mistletoe. Then there is high joy in heaven; the gods place Baldr in their midst, and amuse themselves with seeing how the darts and stones they hurl at him refuse to touch him. But Loki, the spirit of evil, points a twig of mistletoe, places it in the hand of Hödr, the blind god of war, and guides his aim. Baldr falls to the ground slain; and Nanna's heart breaks with grief, as she sees her husband's body on the funeral pile. An envoy from the gods rides nine days and nights through the dark abysses of the earth, to the gates of Hel, and implores the goddess to give back Baldr to the heavens. Hel promises to restore him, if all nature, living and lifeless, will weep for him. Then man and beast, fountain and tree, lift up their voices, and weep aloud for the sun-god. The envoy

¹ Grimm's *Deutsche Mythologie*, p. 201.

returns to claim him, but finds, crouched near the very portal of Hel, a gray witch, who refuses to weep; she can gain nothing by the life or death of any man. Thus Loki's enchantments have prevailed, and the joy-giving god has been withdrawn from the world. "The sword-age, the wolf-age" is coming, when the love of money shall scatter murder and harlotry over the earth; the powers of evil will be unloosed; the gods themselves fall in the desperate death-struggle; fire consume the tree of life and the solid earth; and the dimmed sun sink for ever in the ocean. But a greener earth will rise out of the sea, lighted up by a brighter heaven; and Baldr will ascend from Hel to reign over new gods and nobler men.¹

The institutions of the Norsemen in their own country resembled those of the Anglo-Saxons in their main features. There were the same distinctions of classes; similar popular assemblies; and the system of money measurement for ranks and offences was even more complicated in Norway and Iceland than in England. Among Scandinavian specialties we may class the duel as a form of judicial process;² and on the other hand, the frith-guild system was first organized in England,

¹ Prose Edda, c. 49-51. Other and somewhat grotesque instances of the temporary fusion of Christianity and paganism may be seen in Dasent's *Tales from the Norse*, nos. ii. xiv. xxi. and xxviii. In the fragment of the Edda called "Bragi's telling," there are twelve Asa or gods, who are preserved in perpetual youth by eating apples. Dasent's *Prose Edda*, pp. 85-88. In the saga of Haco the Good, he is represented as making the sign of the

cross on a beaker which he was called upon to drain in honour of Odin. The act was remarked, and he explained it away as the sign of Thor's hammer. This must surely have been imitated from Christian practice. Wilda's *Gilden - Wesen*, p. 9.

² The duel was probably introduced into English law-procedure before the Conquest, but certainly not before the Danish invasions. See Palgrave's *Eng. Com.*, pp. 223-5.

and transplanted from our shores to Norway and Denmark.¹ But the necessities of a seafaring life, and of incessant war, developed the military qualities of daring and discipline among the Norsemen to an extent that perhaps has never been equalled. The captive searover would sometimes refuse life upon any, even the most honourable terms; as a Danish king expressed it, life with all its old enjoyments, but with the sentiment of a single defeat, would be unbearable.² In fact, any death, if it were only in battle, was the crown of an honourable life; failing this, the pagan of the north threw himself from a cliff. Siward, of Northumbria, whose Christianity deterred him from suicide, stood armed and erect out of bed in his last moments, that at least he might not die huddled up like a cow.³ Men thus minded, who compared the joy of battle to the raptures of love, were not likely to be more careful of others' lives than of their own; their very jests had a terrible grimness; they were silent when they suffered, and laughed in death. When Sigurd, the pirate, who had seen his comrades butchered, was asked what he thought of their fate, he answered, "I fear not death, since I have fulfilled the greatest duty of life; but I pray thee not to let my hair be touched by a slave, or stained with blood." His request was granted, and a freeman held up his hair for the fatal stroke; but as the axe descended, Sigurd swayed himself forward, and the blow fell upon his captor's hands. The rough humour of the joke so completely fell in with the spirit of their conquerors that Sigurd and his remaining companions were spared.⁴ It was one of the better results of this

¹ Wilda's *Gilden-Wesen*; Drittes Haupt-stück.

² Blackwell's *Mallet*, c. viii.

³ Hen. Hunt., lib. vi., M. B., p. 760.

⁴ Blackwell's *Mallet*, c. viii.

fearlessness, that it encouraged a punctilious love of truth, resembling honour. The beaten warrior, bound by his word, would remain on the ground while his adversary fetched a weapon to despatch him. Moreover, the pursuit of arms, though it excluded labour from the ideal of life, involved a severe discipline as to the condition of success. It would be absurd to say that northern society was chaste: the women were guarded in separate quarters till marriage;¹ they were commonly married to the rich, and intrigued with the strong; and adultery, though it involved slavery in Denmark, was chiefly reprobated as a breach of the laws of property, was practised by heroes, and praised by bards. But allowing for the necessary absence of all Christian ideas upon this subject, we may fairly say that the Norsemen, if not moral, were not eminently impure; and their crimes were rather those of passion, than of that deliberate vice which eats into the soul.

Although the more prominent aspect of the struggle between Christendom and the Danes was the question which of two religions should prevail, the political results of the contest are not less important. The greatness of Charlemagne's character can scarcely be overrated, but his ideas and policy were Byzantine; he aimed at re-uniting the nations of the world under one empire; at crushing local freedom in every state. Had he succeeded more entirely: if his captains, sated with conquest, had been capable of loyal allegiance; if his sons had been more united, or one of them truly imperial, the path of the world would have been arrested; the monotonous unity of the Roman empire would have

¹ Thus, in the Frithiof-Saga, Ingibjorg is placed with her eight maidens within the precincts of Baldr's temple for greater security.

been reproduced at a lower level of civilization; and thought and faith, imprisoned within a system whose confines were the limits of the earth, would have beaten out their lives against the bars of their cage. We owe it to the divine fury of the Danes that we were saved from that calamity. The plunderers became conquerors, and carved half-a-dozen kingdoms out of the Europe that was to have been one. Even as regards England, we may see that the country was not yet ripe for consolidation: its tendencies were always to form a world apart, and to separate itself from the struggles and progress of its neighbours. At the very moment when it was lapsing into centralization and weakness its provinces were roused into new life by the necessity of self-defence. The success of the Danes against a brave people may seem unaccountable. It must be remembered that by these expeditions the whole commercial marine of the north was turned into ships of war.¹ The long vessels, with their gaudy painted sails, bounding over the foam, disembarked troops suddenly where they were least expected, or sailed up the rivers into the heart of the country. It was never a war between the Danes and the national army, but between the Danes and a local militia. Defeat to the Saxons was ruin; but the Norsemen easily repaired their losses, for their fleets were recruited from every nation of the North.² For some two hundred years every district of England was traversed by troops, and every man forced to fight. The commonwealth was shattered in the contest, but the people regenerated.

¹ Dasent's *Norsemen in Iceland*.
Oxford Essays, 1858.

Gothis, Norwagenses cum Suathedis,
Wandalos cum Fresis." Huntingdon,

² "Immisit Dominus Dacos cum lib. v., M. B., p. 736.

Towards A. D. 867, an organized expedition of Norsemen, under Ingvar and Ubba, two of their kings, landed in Northumbria with a settled intention of conquering the country. The father of the two leaders, Ragnar Lodbroc, had shortly before been taken prisoner in a piratical descent on the English coast, and cruelly put to death by the Northumbrian king Ælla; who carved a blood eagle on his back ripping him up along the spine. Local tradition has preserved the remembrance of a Northumbrian noble, Beorn or Bruern, who avenged the dishonour of his wife, by reporting the circumstances of Ragnar's death to the Danes, and promising them the support of his own kin.¹ The Danish gesith of Ragnar burst passionately into tears at the news of their lord's death, and swore to take a terrible revenge. They wintered in Anglia, where the people of the country, mixing freely with them as men of a common origin, supplied them with provisions and horses.² Next year the invaders advanced northwards, and were admitted into York. Osbert, Beorn's enemy, and Ælla, a rival king, besieged them there, but in-

¹ Brompton gives the story of the Northumbrian noble, Bruern Brocard, who calls over the Danes to avenge his wrongs. X Scriptores, ll. 802, 803. In Roger of Wendover, Bern is a huntsman in Norfolk, who murders Lodbroc from jealousy, is exposed by the Anglian king in a boat, drifts over to Denmark, and denounces his own sovereign as the murderer. Vol. i. pp. 303-307. This agrees with the Danish accounts in representing Lodbroc's death as the cause of the invasion. As the two English stories agree in representing Bern or Bruern as a traitor; I have ventured to harmonize the

different narratives into what seemed the most probable account. But its details will not bear critical examination. The word "Beorn" means "nobleman," and is chiefly used in poetry. Geijer places the date of Ragnar Lodbroc's reign towards the end of the eighth century. Geijer's History of the Swedes, p. 14. But Munch refers it to the ninth; thinks he may have died, as is related, in an expedition against some unknown country; and that the legends about England may belong to his son's time. Norske Folks Historie, vol. i. part i. p. 371.

² A. S. Chron., A. 866.

cautiously broke down the walls of the town, and entangled their forces in the narrow streets, where they were routed, with the loss of all their leaders, by a desperate rally of the Danes.¹ Ælla fell into the hands of the foe, and experienced the worst fate of the conquered: a blood-eagle was carved on his back. The Northumbrians had been demoralized by constant civil war; of their kings one had provoked rebellion, the other was an usurper: it is scarcely wonderful if the people passed easily to the sway of a new lord. Having thus obtained the dominion of the north, the Danes advanced against Mercia, but were forced, when the army of Wessex came up, to make terms. The invaders next turned their arms against East Anglia; they first attacked Lincolnshire, where, supported by new adventurers under Guthrum, they at last overwhelmed the local forces which the valiant ealdorman Algar led, and sacked the monastery of Peterborough. They then demanded submission from the king. Eadmund had sufficient sense of honour to decline to hold his crown as a vassal of the pagans; but his subjects did not muster in sufficient force to give any hope of success: Eadmund fell into the hands of the Danes, and suffered the fate of St. Sebastian, (A. D. 871).² The pagans were now masters

¹ A. S. Chron., A. 867. William of Malmesbury, however, makes the Northumbrians garrison the town against the Danes. Lib. ii. p. 178.

² The accounts of Eadmund's defeat are difficult to understand. He is represented as successful in an obstinate battle at Thetford; but refusing, from scruples of conscience, to shed any more blood, he is surrounded and taken by the Danes. Objecting to fight was a common and

praiseworthy form of conscientiousness, but fighting first and objecting afterwards would be conduct too foolish to be credible. A second victory would have cleared the country of the pirates. We probably owe this gloss on the meagre account in the Saxon Chronicle to the monks of later and more warlike times, who wished their patron to be brave as well as pious. Wendover, p. 308-311.

of the Anglian parts of England, and it was only a question of time how soon Mercia should become tributary to them. But the south and part of the west of England were inhabited by a different race, with no Scandinavian sympathies, with a civilization too deeply rooted to be easily effaced, with an utter horror of paganism; above all, with a man among them who could lead in battle, guide in council, and inspire confidence in defeat. The people were the Saxons of Wessex; the man was Alfred.

CHAPTER XI:

ALFRED.

ALFRED'S YOUTH. WARS WITH THE DANES UNDER ÆTHELRED. CHARACTER OF ALFRED'S GOVERNMENT. THE DANES OCCUPY MERCA, AND ENTER WESSEX FROM THE SOUTH. ALFRED'S EXILE. DEFEAT OF THE DANES AT EDINGTON, AND TREATY OF WEDMORE. LATER INVASIONS AND REPULSES OF THE DANES. ALFRED'S PUBLIC WORKS. ALFRED AS LAWGIVER. OLD AND NEW INSTITUTIONS. FORMATION OF A FLEET. REVIVAL OF LEARNING. THE KING'S PRIVATE LIFE. RELIGIOUS AND ARISTOCRATIC TENDENCIES OF ALFRED'S MIND.

ALFRED was the youngest son of Æthelwulf, by Osburh, daughter of a Jutish noble,¹ the king's cupbearer; and was born at Wantage about the beginning of the year A. D. 849. So long as his mother lived he appears to have been well cared for: and when, at most, only six years old was induced to learn by heart some of the Saxon ballads, by a promise of the illuminated book which contained them.² In A. D. 855

¹ Oslac, her father, is called "Gothus natione," "ortus de Gothia et Jutis," and "de semine Stuf et Wihtzur." Asser, M. B., 469. Stuf and Wihtzur were kinsmen of Cerdic, king of the West Saxons, who gave them the Isle of Wight, where they settled a colony of Jutes. Bede, H. E., lib. i. c. xv. Whether they themselves were more Saxon or more Jutish must be doubtful, but Goths, i.e. Norsemen, in the common sense of the word, they certainly

were not. Evidently Asser and his copyists confound the two cognate etymons.

² Pauli's *Life of Alfred*, pp. 85-90. Dr. Pauli's view, that Alfred only learned the poems by heart, appears to me certain from the context, in which Asser says distinctly that the prince did not learn to read in his youth. The only difficulty is in the word "legit," which probably means "went over," perhaps "spelt over." Asser, M. B., 474.

Alfred accompanied his father on a pilgrimage to Rome, where he remained a year. The early influences of his life had no doubt some share in impressing him with a vivid sense of religion. After his father's death Alfred was probably left to grow up pretty much as he chose. He became a keen sportsman; and a strong animal nature, tempered but not subdued by his piety, seems to have led him into irregularities, which affected his health through life. In his twentieth year he married Ealhswitha, the daughter of Æthelred the Big, earl of the Gainishmen.¹ On the death of his two eldest brothers, and the accession of Æthelred in A. D. 866, Alfred ought, by his father's will, to have been invested with the kingdoms of Kent and Sussex. The urgent need of united action forced king and witan to disregard the foolish bequest; and Alfred, to his high honour, acquiesced in the arrangement, perhaps with an understanding that he should succeed his brother on the throne.

Although the Danish kings of Northumbria were by this time sated with conquest, or chiefly desired to extend their limits toward the north, the allies, under Guthrum, who had just assisted them to conquer East Anglia, and to whom it had been assigned as recompense, were resolved to push their successes south of the Thames. Accordingly, in the winter of A. D. 871, they suddenly sailed up the Thames, not pausing before the strong walls of London or in the Surrey fields, but announcing their arrival by the storm of Reading. They were still so weak that their first sally into the country was repelled by the ealdorman of the district near Englefield. But when Æthelred and Alfred arrived,

¹ Of Gainsborough in Lincolnshire. Pauli's *Life of Alfred*, p. 121.

and attempted to storm the town, the Danes regained their superiority; and the royal brothers were forced to fly across the Thames. The next battle took place on the unknown common of Ashdown, probably in Hampshire. Alfred commenced the fight by a vigorous charge up the slope which the Danes crowned; for a time the issue was doubtful, as Æthelred was hearing mass in his tent, and left his brother unsupported: but at last reinforcements came up; the Danes were routed, and most of their captains slain. The pursuit lasted through the night and the next day to the very walls of Reading, where the fugitives found shelter. But before another fortnight the Danes were sufficiently reinforced to fight again at Basing, where they kept the battle-field. It was their great advantage throughout these wars that they were able to concentrate their whole strength on any given point, while the Saxons trusted too much to the local militia, which did not even include the citizens of the towns.¹ Hence in a fresh battle at Merton, although the Saxons claim to have conquered during the day, they were forced at nightfall to leave the field to the enemy. Five battles in about as many weeks, and the loss of their best soldiers and nobles, dispirited the Saxons; and Æthelred, who had shown himself a brave and honourable king, died about this time. The whole burden of monarchy devolved upon Alfred when he was only twenty-two. His succession had long been regarded as matter of course, and it does not seem that any fresh meeting of the witan was held to sanction it.

¹ This is not certain, but is highly probable; the citizens could scarcely have left their walls undefended, and the analogies of the Anglo-Norman

period favour the supposition. See A. S. Chron., A. 994, for the contempt with which the Danes regarded the civic militias.

Like most men of strong organizing capacity, Alfred was inclined to carry out with a high hand what he saw to be right and necessary. The times were thoroughly out of joint. Castles had to be built everywhere, fleets constructed, the terms of military service lengthened and drawn closer; and, in order to do all this, it was necessary to strengthen the authority of the king and of the nobles, while the judicial powers of the great lords were yet the great curse of the country.¹ It is scarcely wonderful if the most contradictory complaints were brought against Alfred's government. The oppressive demands for service of every kind wearied his followers. The poor complained that they could get no justice, while the reeves saw with horror that forty-four of their number had been hanged on slight charges in a single year: one for punishing contempt of court with excessive severity, another for acquitting a sheriff who had seized goods to the king's use unjustly.² Alfred became unpopular, and nobles and people fell away from him for a time.³ But necessity brought them round his standard again, and he was able in later life to extend the powers of English royalty while he learned to administer them with greater gentleness.

During the next seven years the contest continued

¹ "In toto illo regno præter illum solum, pauperes aut nullos aut etiam paucissimos habebant adjutores." Asser, 497, M. B.

² *Miroir des Justices*, p. 225. It is certain the cases recited are not entirely genuine, as notices of the duel, of clerks' privileges, and of jurisdiction in Ireland occur. Yet from the Saxon and Danish colouring of the names, Billing, Seafaule, &c. I am inclined to think that the tradition

is of great antiquity, and has some warrant.

³ Æthelweard, M. B., lib. iv. p. 517. "Cum adhuc juvenis erat . . . homines sui regni . . . suum auxilium ac patrocinium implorabant; ille vero noluit eos audire," &c. Asser M. B., p. 481. The passage is probably not by Asser, but the writer of St. Neot's life lived near enough to Alfred's times to know his character by report.

without any decisive results. In Northumbria the war seems to have been of singular ferocity. In parts of Durham the hill-sides are still scarred with artificial caverns, which are known as the Danes' holes, and are said to have sheltered the wretched peasants from the enemy.¹ When all resistance was crushed, Halfdene rewarded his followers with grants of land. The settlement was something like that of the Norman conquest two hundred years later; and its extent may be gathered from the fact that in the four counties of Yorkshire, Lincolnshire, Cumberland, and Westmoreland there are nearly a thousand places which have Dano-Norwegian names, against less than four hundred in all the rest of England.² This endowing of the first adventurers would no doubt stop the supply of recruits to Guthrum's army. Guthrum himself seems to have felt the need of a larger basis of operations, and already in A. D. 874 had expelled the king of Mercia, and handed the province over to a creature of his own, "the unwise Thane," Ceolwulf. To add to Alfred's perplexities a new sea-rover, Rollo, attacked the southern coast, (A. D. 876). Fortunately he had only six ships; and the success of his first attempts was not such as to encourage a longer stay. The sea-rover looked longingly across the waters to the fruitful coasts of France; a dream interpreted by a captive promised success; and Alfred was induced to purchase peace by supplying him with fresh ships, which were nominally to be employed in trade.³

¹ See a paper by Mr. Longstaff. *Arch. Inst.*, vol. i. p. 57, 1852.

² Worsaae's *Danes in England*, p. 71. Mr. H. Coleridge has given a list of more than 100 words of distinctly Danish origin in Anglo-Saxon. *Philolog. Trans.*, 1859, pp.

18-31. Dr. Lottner has followed this up by a paper arguing that "are," the plural present of "to be," is Scandinavian. *Philolog. Trans.*, 1860, p. 63. Compare Stevens on Runes.

³ So, at least, say the vague and uncertain accounts of this transac-

Rollo departed to found a dynasty in Normandy. But the Saxons had no respite, for about this time Guthrum, finding that resistance was organized along the line of the Thames, had sailed round the coast, and disembarked his troops at Warham, in Dorsetshire. The Danes had now a new country to lay waste; they formed a junction with a fresh host of their countrymen,¹ and as they advanced into Devonshire were supported by the Britons of the district. Treaties, even confirmed by hostages, bribes, battles, seemed alike unavailing to check the progress of the enemy. So heavy was the tribute paid in the intervals of peace, that the bishop and canons of Winchester gave back estates, which were more charge than profit, to the crown.² At last, in A. D. 878, the Saxons, worn out with war, and with no hearty love for their king, could no longer be mustered in force to meet the enemy; the Danes overran Wessex securely, and Alfred wandered in the marshes of Somersetshire. National minstrels delighted to record afterwards how the neat-herd's wife chided him for burning the cakes which he had been set to turn; and how, when he had shared

tion. The pretext was not an unlikely one, as the same vessels might then serve for commerce or for war. (See p. 106). Depping, however, assumes that commerce was the diplomatic phrase for piracy; comments on Alfred's wickedness, and accounts for it by the difficulties of his position and by English jealousy of France. He winds up with a romantic story, from an unpublished MS, that Rollo afterwards returned, and assisted Alfred to subdue his rebellious subjects. The fiction may at least serve to show how widely the story of their disaffection at one time had spread. Depping, *Expéditions*

Maritimes des Normands, vol. i. c. 6. Cf. *Gul. Gemit*, lib. ii. c. 4-13, where Alfred is called Athelstane; and Dudo, who inverts their relations, and makes Alfred, whom he calls Alstem, assist Rollo with men and provisions against the Flemings. Duchesne, p. 74.

¹ "Conjecit statum communem cum occidentali exercitu." *Æthelweard*, lib. iv., M. B., 515.

² *Cod. Dip.*, 1069. The charter is marked as spurious, but is probably of high antiquity. For another instance of sale of church lands to meet the Dane-geld, see *Cod. Dip.*, 303.

his last loaf with a beggar, St. Cuthbert appeared to him in a dream by night, and foretold his speedy deliverance from his sufferings. The beginning of good came with a signal defeat which the men of Devon, who had thrown up earthworks at Kynuit,¹ inflicted on a brother of Halfdene's, who tried to starve them out. The Danish chief himself fell, with more than eight hundred of his followers, and the magical Raven banner was among the spoils of victory. This success secured the flank and rear of the Saxons in facing a foe from the east; and in Easter, A. D. 878, a new army began to gather round their king in the strong position of Athelney, amid the Somersetshire marshes. Alfred led them through Selwood forest, and along the line of the Wiltshire hills, till they came in sight of the Danish host at Bratton Edge, near Edington. The firm line of the Saxons sustained, without breaking, the furious charges of the Danes; and the Northmen were routed with tremendous loss, and pursued to their entrenchments in Chippenham. After a fortnight's siege the Danes purchased their lives, by terms which equally show the extremities to which they were reduced, and the respect they had inspired. The treaty of Wedmor, (July, A. D. 878), provided that the kingdoms of Wessex and Anglia should be separated by a line from the source of the Thames to the Lea, along the Lea to Bedford, and along the Ouse to Watling Street. Of course Halfdene's kingdom of Northumbria was no subject of negotiation; but by this agreement the whole of Mercia was restored in its former dependent condition to Wessex. The nobles

¹ The position of Kynuit is unknown, but it was probably near the sea, as the Danes fled to their ships, and it had strong natural defences

on all sides but the east. (Asser, M. B., 481). Mr. Earle's conjecture of Countisbury appears to suit very well.

who had violated their oath of homage to the Saxon king were presently punished with forfeiture by the witan,¹ and a new duke or ealdorman was invested with the government of the doubtful province.² In other respects even treatment was stipulated for all parts of England. Freeman and villain were to be rated at equal values in the two nations; and the system of compurgation was to be common to both. As a pledge that they would keep the peace, the Danes gave hostages while they received none. But the most important consequence of their defeat, perhaps a condition of the treaty, was that Guthrum consented to be baptized. Alfred stood as his godfather. Thirty of the chief men among the Danes followed their chief's example; and paganism was no longer the battle-cry of the Danes in Anglia.

The great result of the treaty of Wedmor was to ensure quiet in the country itself. But England could never be safe from attack so long as piracy was the great profession in the north. A year after Guthrum's overthrow a fleet of vikings sailed up the Thames to Fulham, but finding a strong government, departed, and turned their arms against the French and Flemish coast.³ In A. D. 885, a fresh body of sea-rovers landed in Kent. They were driven back from the walls of Rochester by the citizens, and took shelter in Anglia, relying on the sympathies of their countrymen. But the English fleet pursued and defeated them at the mouth of the Stour; and though the conquerors as they returned home sus-

¹ See Cod. Dip., 1078, for the case of Wulfhere Dux, who was sentenced by the witan of the Mercians and Gewissas for violating his oath. Wulfhere is perhaps the "princeps" endowed with estates by Æthelred of Wessex in A. D. 863. Cod. Dip., 1059.

² Cod. Dip., 311, dated 878, at Worcester. "Quapropterego Æthelred . . . dux et patricius gentis Merciorum cum licentiâ et impositione manus Ælfredi regis," &c.

³ Munch, *det Norske Folk's Historie*, vol. i. c. i. p. 637.

tained a reverse from a fresh squadron of adventurers, they had broken the power of the enemy for a time. Eight years later, (A. D. 893); Hastings,¹ who had gathered most of the pirates of the time under his flag, established his troops in fortified works at the mouths of the Lymne and Thames. The danger was great, for the Danes of Anglia and Northumbria, in defiance of sworn treaties, prepared to assist their countrymen. But the resources of the Anglo-Saxon king were also greater than they had been in his first struggles. Wherever the Danes appeared in the open field they were beaten, and they never succeeded in taking a walled town; but they did fearful mischief in the open country, sailing round the coasts and attacking Exeter and Chester. At last, in A. D. 896, they ventured some twenty miles up the Lea. Alfred rode to inspect their position; and hit upon the expedient of diverting the course of the river, so as to strand their ships.² Hastings and his men were now glad to escape into the friendly Anglian districts; and in the summer of the next year, having made such shift for a fleet as they best could, they set sail for France. They had made little profit on nearly four years' stay in England. But they had kindled anew the love of piracy; and the southern shores for another year were infested with little squadrons of from three to twenty ships. Some of these were destroyed in battle; twenty were sunk in a storm; and the crews of two that were cast on the Sussex coast were very deservedly hanged at Winchester.

¹ It is uncertain whether this was the great sea-rover of that name or another, possibly his son. See Mr. Coxe's note, Wendover, vol. i. p. 349, and Mr. Hardy's note, Malmesbury, vol. i. p. 182.

² It has been surmised, with great probability, that Alfred derived the idea of this from the story of Cyrus draining the Gyndes, which he had himself translated. Alfred's Orosius, book ii. c. 4, 5.

It confounds all ordinary notions to know that these desolating wars had rather affected the civilization than the wealth of the kingdom. Asser, the native, it is true, of a poor country, Wales, assigns the great riches of the people as a reason why the monastic profession had declined in honour among the Saxons. Still more wonderful is it to hear of Alfred, with the limited revenue of a Saxon king, initiating and often completing great public works; restoring London, which had been burned down,¹ with suitable magnificence; building stone palaces, and gilding or otherwise decorating their halls. He sent costly gifts to Rome, and even, it is said, to the shrine of St. Thomas in India. His munificence to his friends was on an equal scale; Asser, in addition to two monasteries, was presented with a rich silken pallium and with a porter's load of incense. The explanation

¹ How London was burned down is uncertain. Æthelweard says, "ob-sidetur a rege Ælfredo urbs Lundo-nia." M. B., 517. Roger of Wenden-dover gives a strange account of Alfred's preparations for a siege, of the citizens throwing open the gates, and of Alfred then restoring the city. Vol. i. p. 345. It seems that in A. D. 872, London was the head-quarters of the Danes (A. S. Chron., A. 872), and this might account either for the city wanting repair, or for its citizens being in the Danish interest, according as we suppose that the Northmen took it, or made terms with the townsmen. In this latter case, the fire may have been accidental, or may have been Alfred's work. The Saxon Chronicle, A. 866, only says, "That same year king Alfred repaired London; and all the English submitted to him." Mr. Earle has raised a new difficulty.

He observes that the word used in the Saxon Chronicle is Lunden-burh, not Lunden, and surmises that Alfred planted a military colony, perhaps, on Tower Hill. It must be borne in mind that the Danes are mentioned as coming to Lunden-burh in A. D. 872. A charter (Cod. Dip., 1074) says that in 899 Alfred had frequent conferences with Æthelred of Mercia, and Archbishop Plegmund, "de instauratione urbis Lundoniae." A spurious charter, no. 316, seems to refer this event to A. D. 889, which would agree better with the date 886 of the A. S. Chron., but which is disproved by the fact that Plegmund's elevation was not till A. D. 891. I am inclined to think that there are two events: the military occupation in A. D. 886, and a restoration after a fire in A. D. 899. Notices of these may easily have been confounded by late chroniclers.

probably is, that wealth up to a certain point was a fixed quantity in a state, consisting not as now of factories, farms, and businesses, which a few years' neglect would ruin, but of plate and jewels and wrought fabrics, which a conquest only transferred from one man to another. Perhaps, too, the rent of the king's tenants was frequently paid in labour, and to employ this would be a matter, not of expense, but of economy.

Alfred's fame as a man has obscured his position in history as a king; his grateful people in the after-time ascribing to him whatever they found of good or great in the institutions of their land. Probably nothing has been thus attributed without some real fact underlying the mythical narrative; but it is not always easy to disentangle one from the other. As a lawgiver, he seems to have been the first of our English kings who distinguished the great principles of law from the local customs that modified their application. His code may be said to consist of three parts. The first is an abstract of Hebrew law, indicating the divine foundations of society, and blending the secular view of offences as damage with the Christian view of them as sin. The conception of the state as an ideal commonwealth, which regarded the right living of man as its first object, is therefore due to Alfred; and he indicates a standard so high that he could not dream of enforcing it—the gradual extinction of slavery, the duty of hospitality, and the Christian law of love. In the second part are contained the general principles of English law, put down a little confusedly, as the witan sanctioned or the scribe copied them out. The king is now for the first time treated as the inviolable head of the state, to plot against whom is death. Loyalty to the great lords is established upon the same footing. The frank-pledge sys-

tem, by which every man was bound to give some guarantee for his good conduct, is spoken of for the first time as of universal obligation. The right of feud is limited, and the powers of the courts of justice are extended.¹ An over love of legality, the curse of these and of later times, is apparent in these regulations, and was partly perhaps due to the remembrance of late disorders. Last, Alfred subjoins a copy of the ancient laws of Wessex, no doubt to explain the customs of the South of England. Unfortunately, we do not possess a similar transcript of the Mercian code, which was probably appended to the copy for that province.

The statement of popular histories, that Alfred divided England² into shires and hundreds, has been generally rejected by modern scholars. The origin of those divisions was certainly independent of the central authority, and coeval with, if not anterior to, the Saxon settlement. Moreover, shires are mentioned in Ine's laws, and names, such as *shire-oak* and *shire-bourne*, attest their antiquity.³ Perhaps the enforcement of the frank-pledge system, which had hitherto been irregular and voluntary, and which was connected with these divisions, has been confounded with their establishment.⁴ But it is not impossible that the old divisions had in some instances been effaced by the late wars, and were now restored. Perhaps, too, the use of the word *shire* had originally been confined to Wessex, and the parts bordering on it, and was now made general.⁵ That

¹ Laws of Alfred, 4, 27, 28, 37, 42; Laws of Edward, 4; A. S. Laws, vol. i. pp. 64, 79, 80, 87, 91, 163.

² This statement is derived from Ingulfus. Gale, vol. i. p. 28.

³ Ine's Laws, 39; A. S. Laws, vol. i. p. 127. Cod. Dip., 951, &c.

⁴ Malmesbury's language seems to favour this supposition. Lib. ii. p. 186.

⁵ See, however, Kemble's Saxons in England, vol. i. pp. 247, 248. "After the time of Alfred the different MSS. of the chronicles usually adopt the word 'scir' in the same

Alfred introduced trial by jury is even more certainly false. The appointment of a distinct and popular magistracy, to determine questions of fact as distinguished from questions of law, belongs to the Anglo-Norman times, when Roman law was studied as a science, and was probably derived from a Latin original. It cannot be traced further back than to the thirteenth century.¹

Of Alfred's political capacity there can be no doubt. Wielding only the resources of a third of the kingdom he contended against the most powerful foe then known to the nations of Europe, exacted honourable peace, and literally enlarged his dominions by Mercia, which had been free rather than dependent under his brothers, and under him became dependent rather than free. By forcing his cities to repair their walls, he foiled the furious ravages of Hastings. But, above all, to Alfred belongs the credit of having first seen that an island must be defended by sea. Had he merely established a national navy where none existed, it would be sufficient proof of his statesman-like sagacity. But he seems further to have discerned the modern theory, by which war is only a question of momentum and impact. The ships of the Danes were constructed primarily as transports to carry the greatest number of men, and as platforms from which they might fight. Alfred built a fleet on a new model of his own, by which the ships were narrower, and of double the length, and impelled by sixty instead of twenty rowers; they were thus able to pursue, overtake, and run down the enemy. It was a revolution in naval warfare.²

places as we do, and with the same meaning." Saxons in England, vol. i. p. 79.

¹ Hallam's Middle Ages, vol. ii. note viii.

² A. S. Chron., A. 897.

Alfred's zeal for learning is one of his most honourable titles to remembrance. Incessant war had made every man a soldier. When the king looked round England, after the peace of Wedmor, he could find no man south of the Thames who understood the Latin in which he prayed;¹ and few, indeed, were the learned men among the Mercians. He himself was probably unable to read or write to his last days, though he repeatedly put himself under masters, and perhaps got so far as to attach a certain sense to the words in the little book of prayers which he carried about him.² He made it the first care of his years of peace to attract scholars from old Saxony, from Gaul, and from Ireland, to the court; and he founded schools at Shaftesbury and Athelney, with perhaps another at Oxford,³ as centres

¹ Denewulf, bishop of Winchester, is said to have been a swineherd originally. Alfred, falling in with him, perceived his talent, caused him to be educated, and finally made him bishop. B. de Cotton. de Episc., p. 376.

² The history of Asser, in the patch-work form which has come down to us, says distinctly (M. B., p. 474) that Alfred never learned to read, and never ceased to desire to learn. But later on (p. 491) the writer seems to contradict this, saying that Alfred, by divine intuition, began to read and expound on one and the same day. I think, however, the context may be explained, that he began to work as an original author. Compare p. 497 for a curious account of the king's attempt to make his ealdormen learn reading, and of the insuperable difficulty which the old warriors found in obeying the command. Alfred's knowledge of Latin might easily be gained

from oral instructions. Boys at school used to speak it in the middle ages; and it probably was spoken more or less perfectly in the towns for centuries after the Romans left the island. Giraldus Cambrensis tells a story of an old anchorite who was anxious to understand the language of the Ordinal of the Mass. He at last obtained the knowledge by a miracle; but "*Dominus meus qui dedit mihi Latinam linguam, non dedit eam mihi per grammaticam aut per casus, sed tantum ut intelligi possem et alios intelligere.*" De Rebus, &c., lib. iii. c. 2.

³ This has generally been rejected, and I quite agree that the famous passage in Camden's Asser is mostly or altogether spurious. But the tradition is much older than Camden's time. The passage in Brompton is well known, (Twysden, p. 814), and Capgrave says (Chron., p. 113), "This man, be the councelle of Saint Neot, made an open scole of divers sciens

of liberal learning. Even scholars as well as teachers were imported from other countries when the love of learning proved deficient among the Saxons. But, above all, Alfred served in the great army of learning himself as a translator. His translations do not pretend to servile accuracy: sometimes he expands to explain a difficulty, or inserts a fuller account from his own knowledge, or from the report of travellers at his court; more often he epitomizes, as if he were giving the pith of a paragraph that had just been read out to him. The books he chose were the best fitted of all to form the library of an Englishman in the ninth century: they consist of a history of the world on Christian principles, by Orosius; the History of the Anglo-Saxon Church, by Bede; the Consolation of Philosophy, by Boetius. The historical and ethical character of the king's mind is apparent in his choice of authors. A translation of Gregory's Pastoral Care was executed by the king in partnership with his bishops.¹ Probably many elementary works were issued under the royal patronage, as we find at a later time several spurious works, such as moral poems and fables, recommended by Alfred's name. And it is characteristic of the new growth of letters in the country that the chronicles of contemporary events begin about the end of this century to be regularly kept in the Saxon tongue,² though scattered

at Oxenford." Compare Asser's words, (M. B., p. 496), "*scholæ, quam ex multis suæ propriæ gentis nobilibus studiosissime congregaverat.*" The statement of Ingulfus, (Gale, vol. i. p. 73), that he studied Aristotle at Oxford, under Edward the Confessor, has been questioned because the Danes destroyed Oxford

under Ethelred. But it was rebuilt by A. D. 1013. A. S. Chron., A. 1013.

¹ Alfred himself tells us in the preface that he was assisted by Plegmund, Asser, Grimbold, and John, probably John the Saxon.

² Mon. Brit., Pref., p. 74. Earle, Two Saxon Chronicles, pp. vi.-lv.

and meagre notices may have been consigned to writing in previous years.

Of Alfred's personal appearance we know nothing. His active life, and fondness for field-sports, are in strange contrast with the fact that he was perpetually visited by paroxysms of a fearful and mysterious disease, which attacked him on the day of his marriage, (A. D. 869), and tormented him for twenty-five years, ceasing suddenly about seven years before his death, (A. D. 901.)¹ But the features of his pious and studious life, even to his measurement of time by tapers sheltered in horn-lanterns from the draught, have been recorded by one who lived with him. In days when charity had grown cold, and when religion no longer restrained the powerful, their king was the one man to whom the needy could apply for support, and the injured for redress. His shrewd sense was dreaded by evil-doers, and while the sternness of his early years was tempered, as he grew older, by courtesy, his wish to conciliate never led him to swerve from the truth. His revenue was divided equally between the State and the Church. Of the secular moiety one-third went to his civil list, one-third to public works, and one-third to the support of ambassadors and distinguished foreigners. The part destined to religion and education was assigned in equal proportions to the poor, to the support of church fabrics, to the two conventual schools of Athelney and

¹ We know that his descendants, Athelstane and Edgar, were short men; this is a slight probability that Alfred was not large. Light hair and blue eyes were family features in the tenth century. The description of his disease seems to indicate a scrofulous diathesis, dis-

playing itself first in "ficus," afterwards perhaps in chronic gastritis, from which his grandson, Edred, suffered. Mr. Sharon Turner thinks it was cancer of the stomach, but if so, it would hardly have lasted for twenty-five years, and then have left him.

Shaftesbury, and to the other more secular school, perhaps at Oxford, which he had founded for the sons of nobles.

It is not without reason that we look back upon Alfred as the typical English king. Whether or not the name of England as a commonwealth, and not merely a province, was first introduced under him is a little uncertain¹ and quite unimportant; our national history dates from the peace of Wednor. Its struggles and its victories had transferred the prestige of the national name to Wessex; it remained for the great statesman to reconstruct society, preserving its old institutions, and informing them with new ideas. Both in his greatnesses and in his imperfections Alfred represents his people; patient, resolute, inexorably attached to duty and truth, with a certain practical sagacity, but over-careless of logical consistency, and sacrificing thought to fact, the future to the moment. The state Church, which we owe to Alfred, confounding, as it did by its old theory, of which some vestiges still remain, the duties of Christian and citizen, is a strange legacy for a statesman to have bequeathed us; the English king, blinded by his moral abhorrence of sin, laid down resolutely the first principles of religion by the side of the secular and inconsistent laws of his people;² he had given them the ideal of life, let them work it out as they could. A thousand years of clashing jurisdictions, civil law contending with criminal, divine theories of

¹ The first mention I know of the term "English," to express the Anglo-Saxon people, is in Alfred and Guthrum's Peace. A. S. Laws, p. 153. But the date of the MS. is unknown. Probably many Angles had fled into Wessex before the

Danes, and it might be an object to conciliate Mercia.

² Thus, for instance, the Jewish institution of the Jubilee occurs in the preface to laws which sanction slavery.

kingship contending with peoples' charters, laws of marriage as a sacrament with laws of marriage as a contract, attest how that unextinguished torch has been handed down through successive generations. Yet, with all its inconsistencies, that Saxon and mediæval theory of a people framing their life in accordance with God's law, and regarding eternal truth, not cheap government or success, as the final cause of their existence, is among the grandest conceptions of history. It is Plato's republic, administered, not by philosophers, but by the vulgar; failing not from inherent baseness, but because its ideal was higher than men could bear.

In one or two minor points we may trace a curious resemblance between the views of Alfred and those of later English society. His character was of that sterling conservative type, which bases itself upon old facts, but accepts new facts as a reason for change. Recognizing slavery, he was yet careful in his will to provide for the liberty of his old servants. It is in his laws that we first find the principle of entail maintained,¹ and in his will he declares his intention of following his grandfather's example, and leaving his lands on the spear-side. His laws confirmed the authority of the nobles as well as that of the king. That he opened the ranks to the ceorl who enriched himself, or to the merchant who had made three voyages,² proves indeed that his love of order was not the narrow and senseless love of caste, but does not weaken the presumption that he was aristocratic in his sympathies. The watchwords of modern democracy would have sounded strangely in his ears. Some regard him as a Protestant before Luther.

¹ Alfred's Laws, 41; A. S. Laws, vol. i. p. 89.

² Ranks: A. S. Laws, vol. i. p. 191.

It is the fondest of speculations to discover such abstract tendencies in Alfred; his devotion, his admiration of Gregory, and the wish to revive monasticism,¹ indicate a more Catholic tone of mind than was common in Saxon England at that time. It is possible that a more original thinker, such as Scotus Erigena was, might, if called upon to legislate, have anticipated the modes of thought that are common in our own days. But it is at least doubtful whether such high speculative talent could have been combined with the tact, the statesmanship, and the success of Alfred.²

¹ Compare Cod. Dip., 310, for a notice of Alfred's daughter, Agelyue or Ayleva, who became a nun at Shaftesbury, "cogente infirmitate."

² Pauli's Life of Alfred, p. 384. M. Pauli adopts the idea from Bicknell's Life of Alfred the Great, pp. 290-294.

CHAPTER XII.

THE SAXON SOVEREIGNTY.

ACCESSION AND REIGN OF EDWARD. ÆTHELSTANE'S PARENTAGE. SUBJUGATION OF NORTHUMBRIA. RELATIONS OF ENGLAND WITH THE CONTINENT. ÆTHELSTANE'S LAWS. EDMUND. EDRED. REVIVAL OF THE MILITARY SPIRIT.

THE sons of Ethelred had submitted without opposition to their uncle's sovereignty; but on Alfred's death, (A. D. 901), Æthelwald put in his claim as heir to the eldest son of Æthelwulf. The witan, however, confirmed the succession in Alfred's line, partly, no doubt, influenced by the glory of their late king; partly by respect for Edward's ability, of which he had given signal proof in the defeat of Hastings at Farnham.¹ The decision is a memorable instance of the power claimed by the witan to appoint their king. Æthelwald, a licentious, violent man, retired into East Anglia, and allied himself with the Danes. The restless warriors acknowledged his title as lord-paramount, crossed the marches again, and penetrated into Berkshire, laying waste, as they went, till recalled by the news that Edward was ravaging Anglia. The Saxon king resolved to withdraw without a battle; but the men of Kent, who formed a separate corps, refused to obey orders,

¹ Æthelweard, lib. iv., M B., p. 518.

and were overtaken by the enemy. The victory remained with the superior numbers of the Danes, but they bought it with the loss of their king and his chief nobles. Fortunately, the Pretender Æthelwald was among the slain (A. D. 905).

Edward followed up and consolidated his father's conquests. On the death of his brother-in-law, the king of Mercia, (A. D. 910), Edward annexed the province, allowing it, indeed, to remain under the government of his sister, the dowager-queen, Æthelflæd; but incorporating London and Oxford at once, and the whole of the province finally, when Æthelflæd died (A. D. 919). Between A. D. 910 and A. D. 921, there was almost incessant war with the Danes of the north and east, with Danish sea-rovers, and with the Welsh. Æthelflæd seems to have been as good a general as her brother; after bearing one child, a daughter, she had of her own accord renounced motherhood; and now that her husband's death and her brother's appointment made her lady of her own land, she did justice to the appointment in several hard-fought battles; defeating the Welsh at Brecknock, and storming Derby, which its Danish citizens defended with obstinate courage. While his sister guarded the west and north, building fortresses at Runcorn, Cherbury, and Warbury, Edward carried on a series of masterly campaigns in the south and east. Having cleared Wessex of the pirates who infested its western coasts, he transferred the war to the East Anglian provinces, which were the stronghold of Norse enterprise. A line of twenty fortresses led from Witham and Colchester, through Hertford, Bedford, and Nottingham to Manchester and Chester,¹ while Welland

¹ Witham, Colchester, Maldon, ford, Hertford, Buckingham, Bedford, Huntingdon, Warwick, Leices-Waymere Castle near Bishop Stort-

was planted on the borders of Lincolnshire as an outpost and base of future operations. The Danes fought furiously, making sudden dashes against the Mercian fortresses, and even tried to construct or garrison rival fortresses at Derby, Tempsford, and Cambridge. With the first reverses they sustained the people fell away from them, and gradually their own nobles were either killed off in battle, or made submission like Turketil of Bedford, and departed to seek their fortunes in other lands. At the time of Edward's death (A. D. 925) Northumbria and Wales were tributary, and most of the country south of the Humber might be regarded as a single state. The whole people had been transformed into soldiers and engineers; like a Roman legion, equally skilled with the spade and with the sword. The ransom of a Welsh Bishop (A. D. 915), and the erection of a Cornish diocese, are signal proofs of a higher unity in England. But there are signs that the peaceful interests of the country were suffering. The scanty legislation of the reign belongs to an early period, and no charters during the last fifteen years attest foundations to promote learning or piety. In one instance we find lands taken away for the king's life-time from the see of Winchester, with very scanty consent from its rightful owners.¹ The tradition

ter, Derby, Bakewell, Tamworth, Stafford, Towcester, Nottingham, (two burgs), Manchester, Thelwall, and Chester. Of these Derby was captured from the Danes by Æthelflæd, and Leicester, with most of the local militia, made submission to her.

¹ Bishop Denewulf's language is very plaintive. The land had been valueless and without labourers when given to him, now it was

stocked, and ninety acres sown. He implores the king to ask for no more. Cod. Dip., 1089. Edward, however, is said by Malmesbury to have given large benefactions to Winchester, lib. ii. p. 204. In a reign of twenty-four years the spoliation and the munificence may both be true. Alfred himself was not immaculate in these matters. Cod. Dip., 1090.

of later times was that Edward left two west country sees vacant for seven years.¹ Men who save their country may be excused much care for scholarship, but a disregard of law and of the rights of property are some offset to the fame even of an "unconquered" king.

Edward's successor, Athelstane, was his son by a first marriage with a woman not of high birth; Anglo-Saxon legend says a shepherd woman. It was doubtful whether the child of such an union had any right to succeed. But Athelstane had been the favourite of his grandfather Alfred, who delighted to see the young prince dressed up in the royal purple, with studded belt, and sword in a gold sheath. After Alfred's death the boy had been brought up by his aunt Æthelflæd, whose memory was still dear to all Englishmen, and especially to all Mercians. Lastly, Edward, anticipating dispute, had expressly declared Athelstane his successor; and Athelstane's age and reputation of themselves pointed him out as fitter for royalty than his young half-brothers. Accordingly, first the Mercian and then the West Saxon witan acknowledged him as their king. Unhappily, the Ætheling Alfred, in spite of the judgment of the nobles, attempted to seize his brother in Winchester, and unfit him for the crown by putting out his eyes. The plot was discovered, but as Alfred protested

¹ The story is inaccurately handed down in Malmesbury, lib. ii. p. 203, a pope who died in A. D. 896, being made to procure the appointment of a bishop consecrated in A. D. 910. But there was a division of dioceses about this time, such as Malmesbury ascribes to the effects of an angry rescript from the Pope, by which the three new sees of Sherborne, Crediton, and Cornwall were constituted. It is not unlikely that Edward was

hard pressed for money in the early part of his reign, when the spoliation of Denewulf occurred, and during which no wars were engaged in. As soon as his finances were recruited he would not only make restitution, but might naturally follow the precedents of Anglo-Saxon conquest by which tribute and a bishop were commonly imposed on a conquered people.

his innocence, he was sent to Rome to stand trial before the Pope. As he took the holy wafer in his mouth, in pledge that he was unjustly accused, the judgment of God overtook him: he fell to the ground, and died two days afterwards.¹ The death of a younger brother, Edwin, at sea (A. D. 933), has been ascribed to Athelstane's jealousy; but the story of a prince of the blood exposed in an open boat reads very much like a legend, and the crime would have been useless while other sons of Edward survived.

Athelstane carried the nation forward in its career of conquest. His sister Edith, in the first year of his reign, was married to Sigtric, king of the western and northern portions of Northumbria.² Sigtric had been baptized as a condition of the alliance, but he very soon deserted his wife, and relapsed into paganism.³ His death, and Athelstane's occupation of his kingdom, are events that probably have a close connection with the apostasy and insult to the Saxon princess. Of the sons of Sigtric, Anlaf fled into Ireland; Godfrid, after a vain attempt to recover York from its Danish prince, Ragnald, appeared at Athelstane's court, and was hospitably entertained. But in four days, from suspicion or mere restlessness, he fled and took up the trade of a seaking. Athelstane now completed the subjugation of the north and West. Constantine, king of Scotland, and Hoel-Dda, the great Welsh lawgiver, were forced to do

¹ Cod. Dip., 367 and 1112, both spurious. Malmesbury, however, who was well versed in Saxon ballads, accepts the story.

² Northumbria was now split up into three principal dominions: East Yorkshire, including York, had been conquered by Ragnald, a Danish ad-

venturer (A. D. 912); Cumberland was governed by a British prince, Owen; while the remaining provinces were those which Sigtric's sons laid claim to. Palgrave's Eng. Com., cccxvi. Lappenberg, Band i. s. 382.

³ Wendover, vol. i. p. 385.

homage to the English king; the Britons of the west were made to retire from Exeter, and to take the Tamar instead of the Exe as a boundary; while an attempt on the part of the Scotch to shake off the English yoke was punished by an expedition that penetrated to Caithness. At last, the oppressed nations combined in one vigorous effort to destroy the Saxon power. Anlaf appeared in the Humber with a fleet of more than six hundred ships from Ireland; while Constantine of Scotland, and Owen, a petty prince of the Cumbrians, effected a junction with him from the north and west. But the invaders were detained by the siege of York, which remained faithful to Athelstane;¹ and by the time the city was reduced, the Saxon king had crossed the Humber with his army. Like Baldulph,² and Alfred, Anlaf is said to have explored his enemy's camp in the disguise of a harper; and northern tradition commemorates the fidelity of a soldier, who recognized his former lord, but disdained to denounce him till he had quitted the camp. Neither skill nor courage saved Anlaf from an overwhelming defeat at Brunan-beorh, near Beverley; and Saxon song long commemorated the field on which five princes were routed, with greater slaughter than had been known since the Saxon invasion.

The relations of England with the continent had long since been more intimate than might appear at first sight. In the seventh century,³ it was the custom in Northumbria for many Angles to send their children to be educated in French convents. Before Offa's accession, we find Pepin sending gifts to Eadbert, a king of

¹ The siege and the loyalty are explained by the fact that Ragnald had won his principality from Anlaf's father.

² Geoffrey of Monmouth, lib. ix.

c. 1. A similar story is told of Majorian: Gibbon's *Decline and Fall*, vol. iv. p. 272.

³ Bede, II. E., lib. iii. c. 8.

Northumbria.¹ This connection with the northern province was continued in the reign of Charlemagne, who despatched an embassy with presents to king Ethelred, and would have taken measures to avenge his death by rebels, had not Alcuin interposed (A. D. 796). A little later (A. D. 808), the emperor actually interfered to procure the restoration of Eardulf, a Northumbrian king, to his throne. If we pass to the monarchies of the south, the rupture which ensued when proposals of alliance with Charlemagne were rejected, shows how closely learning and commerce were allied in the two countries.² Æthelwulf's marriage to a daughter of Charles the Bald indicated that England was rising,

¹ Sim. Dun., Hist. Dun., ii. 3. X. Script., c. 11. In the eighth century a brother of king Pepin gave the abbey of Bâze, near Dijon, to an Englishwoman, the wife of one Theodard, "quia ejus stupor potitus fuerat." Chron. Besuense Migne, clxii. 871.

² Einhardi Annales, A. 808. Alcuin, Epist. xlvii. p. 57. In Carolingian romance Charlemagne is made to conquer England. Diplomatic writers of the sixteenth and seventeenth centuries assert gravely that our kings, down to William the Conqueror, did homage to the kings of France; and Mezeray intimates his belief (tom. i. p. 197), that England was included in Charlemagne's empire. M. Depping, in accounting for Alfred's imaginary compact with Rollo, that he should invade France, quietly observes, "Il régnait de la jalousie entre les rois Carolingiens et les rois Anglo-Saxons. Les prétentions qu'énonçaient autrefois lors de leur sacre les rois de France sur les royaumes des Merziens et des Anglo-Saxons se rapportent évidemment à des contestations très anciennes en-

tre les souverains des deux pays." Expéditions des Normands, tom. i. pp. 215, 216. French authors are too apt to forget that the imperial pretensions of Charlemagne devolved, not on the kings of France, but on the Roman emperors. The source of M. Depping's mistake is curious. It seems that about A. D. 980, Ratold, abbot of Corbie, caused the Anglo-Saxon form of consecration to be copied for the use of the French kings. It is difficult to know why this was done, as a service of their own is preserved in Baluzius. The scribe copied servilely the titles of the kings of England, inserting at the same time the French titles which his superior had given him; thus: "quem in regnum Albionis totius videlicet Francorum eligimus." This form was used as late as the year A. D. 1365; the mistake was repeated in the new copy then made; and has misled M. Depping, who was not aware that the service had been first used at king Ethelred's consecration. See Lingard's A. S. Church, vol. ii. p. 368.

and that France was sinking, relatively, in the scale of nations. Alfred, however, found no more noble match than a Count of Flanders for his daughter. But under Edward and Athelstane, England had risen to the first rank among nations. Accordingly, of seven daughters whom Edward left behind him, Eadgiva was married to Charles the Simple, Carlovingian and titular king of France; Eadhilda to Hugh the Great, founder of the intrusive Capetian dynasty; Edith to Otho, emperor of Germany; Elgiva to Louis, king of Arles in Aquitaine; and Adiva to the nameless head of the house of Montmorency.¹ Nor were these alliances barren of result; Eadgiva's son, Louis d'Outremer, brought to England and there educated, was restored by Athelstane's influence, and perhaps partly by English arms, to the throne, which his uncles Otho and Hugh had assailed.² The power of the dukes of Normandy already appeared to threaten English interests. Athelstane entertained at his court the exiled Alan of Brittany, whom Rollo had dispossessed of his dominions; and when the young prince had come to man's estate, assisted him with English arms to recover his inheritance. Nevertheless, later on we find Athelstane on friendly terms with the duke of Normandy, who co-operated with the English policy in behalf of the Carlovingian line. Perhaps both countries preferred that a weak sovereign should reign in Paris.

¹ It appears from a charter that Bouchard, the first known count of Montmorency, was nephew by his mother to Edred, and therefore to Athelstane. During Edred's reign (A. D. 593) Bouchard visited England, and brought away the relics of St. Favae, and a certain number of monks from Pershore, in Worcester-

shire. Bouquet, vol. ix. p. 622, cited in the *Art de vérifier les Dates*, tom. xii., Art. Montmorency. Adiva accompanied her sister to the German court, and we can account for every other known sister of Edred.

² Lappenberg, Band i. ss. 380, 381.

Athelstane's laws exhibit in a fuller degree the same tendencies that prevailed under Alfred. They begin with enforcing the obligation to pay tithes and the Martinmas dues to the Church; and Athelstane charges the royal revenue with the support of a pauper to every two of his farms. The frank-pledge or frith-guild system had been vigorously enforced under Edward; its laws are codified under Athelstane; and every freeman is now obliged to belong to some guild or to some lord.¹ The beginnings of feudalism appear in a regulation which forbids the nobles to receive the vassals of other men, except with the leave of their first lord.² The restriction of all trade, except for articles under twenty pence value, to the cities, is a great step towards the rigid protective system which another century saw established; and the same tendency appears in a law that two horses are to be kept to every plough, and that none are to be sold beyond sea. The processes of law seem to have been found ineffective in many cases, for a law is passed fining all who absent themselves three times from the gemot to which they have been summoned.³ Lastly, as trade is spreading, a regulation of the coinage has become necessary; it is decreed that all money be of uniform weight, that it be only struck at certain recognized mints in privileged cities;⁴ and the illicit coiner is to have his hand struck off. The larger powers of the laws and the moral view of offences are clearly unfavourable to mercy no less than to liberty.

¹ Laws of Edward, 4; Laws of Athelstane, 2, 8; A. S. Laws, vol. i. pp. 161, 201, 205.

² Laws of Athelstane, 22; cf. Laws of Alfred, 37; A. S. Laws, vol. i. pp. 87, 211.

³ Laws of Athelstane, 20; A. S.

Laws, vol. i. p. 209. So in Anglo-Norman times there were three reasonable essoins or causes of default from a summons. Glanville, book i. c. vii.

⁴ A. S. Chron., A. 943.

Athelstane's strong, stern dominion was endured with impatience by his new subjects; and his death (A. D. 940) proved the signal for a rising. The new king, Athelstane's brother Edmund, found himself in a few weeks menaced by a revolt which was headed by the pagan Anlaf, who sought to recover his inheritance, and favoured by the archbishop of York, who preferred the interests of Anglian independence to a Christian but Saxon king. A great battle at Tamworth ended in a decisive triumph for the Dano-Anglian forces: the provinces north and east of Watling Street were ceded to Anlaf, and Edmund was reduced for a time to the dominions which Alfred had enjoyed forty years before. But the death of Anlaf a year later gave Edmund an opportunity of retrieving his losses, which he did the more readily as York was still the metropolis of a separate principality, which divided the strength of the north. The inhabitants of the five Danish towns, Derby, Leicester, Nottingham, Stamford, and Lincoln, were expelled and replaced by Englishmen; the two princes of the north, Anlaf the younger and Reginald, were compelled to do homage and embrace Christianity; and the archbishop of York was confirmed, probably by some concessions, in a more loyal allegiance.¹ The Cumbrian dynasty was next reduced, and the province made over to Scotland as the price of homage and support. No one was better able than the ruler of Gallo-way to secure the lakes and hills of Cumberland from becoming the stronghold and issuing point of vikings. But in the midst of his victories, Edmund perished in a brawl at his own table. Liofa, a noted outlaw, had

¹ Æthelweard, lib. iv., M. B., p. 520.

entered the royal hall,¹ and seated himself at table; Edmund interfered in person to turn him out, and was stabbed to the heart, (A. D. 946).

By a natural arrangement, Edmund's brother, Edred, was appointed king, as Edwi and Edgar, the sons of Edmund, were minors. The new king inherited the warlike ability, the devout tendencies, and unhappily also the sickly constitution of his race. The nine years of his reign were on the whole prosperous, although the Northumbrians, in default of their natural leaders, rose up again in insurrection under Eric, whom his father, Harald Blaatand of Denmark, had sent over to seek his fortunes.² The archbishop of York again joined the insurgents. But the native prince, Anlaf's son Maco, did not submit to be despoiled of his inheritance, and failing to cope with Eric by force of arms, assassinated him in a desert place, by the treachery of one of his *gesith*. Edred profited by these dissensions, and in two campaigns laid waste the whole of the north; threw Wulfstan of York into prison, carried off the chief nobles as hostages, divided the province into shires and baronies, and entrusted it to the charge of Osulf, the traitor, who had betrayed Eric.³ From this time forward, Northumbria, parcelled out into earldoms, ceases to have any proper history of its own, and is only a turbulent part of the Saxon dominion.

The martial character of the Saxon line since the time of Æthelwulf, had reacted upon the court; and

¹ The hall was open to all guests. Liofa's offence lay in appearing while he was under ban. The Chronicle of Abingdon, however, (vol. i. pp. 119, 120), says the king was killed in separating two servants who

were quarrelling, and calls the murderer his cup-bearer Leofwine.

² Lappenberg, Eng. Gesch., Band i. s. 392.

³ Palgrave's Eng. Com., p. cccxviii.

religion and war had become for a time as closely united in popular estimation as religion and peace had been under the first converts. The necessities of the national struggles, and the peculiar character of the war waged against the Danes, whose treaties were never so sacred as when they were guaranteed by their kings' baptisms, had no doubt contributed to this result. Turketul, chancellor under three kings, who had led the London militia at Brunan-beorh, and who at last resigned his dignities to become abbot of the ruined monastery of Croyland, is a good instance of the way in which secular offices were discharged by men who at another time would have shrunk from performing the duties of citizens.¹ It was not in the nature of things that this should last: if religion was the path to promotion, the Church would either become worldly or it would absorb the State. Both effects were in fact produced; religion was a more active principle than before; and worldly profit came to be connected with its profession. The results were seen more fully in the next reign. Neither thought nor scholarly learning could flourish amid the din of arms. But the European connections of Athelstane seem to have drawn the attention of Englishmen to the splendour and ceremonial of foreign courts; an inflated Byzantine style characterizes the charters of the tenth century; the Saxon kings call themselves *basileus* and *imperator*; while a pompous humility is affected in the style of the English clergy.² If the laws of Hoel-Dda were really derived from Anglo-Saxon practice, it would seem as if the English court had

¹ So, too, St. Odo is said to have been present, praying, though not fighting, at Brunan-beorh. *Anglia Sacra*, vol. ii. pp. 80, 81.

² "Ego Ælfred episcopus hoc deo instigante donum," &c. "Ego Dunstan indignus Abbas hanc," &c. *Cod. Dip.*, vol. i. p. xcvii.

affected the minute etiquette and unmeaning dignities of the emperors of the east.¹ We may hope that English good sense a little tempered these extravagances. They are so entirely exotic, that they do not, I think, indicate the attempt of weakness to disguise itself in purple; rather they are an affectation of forms supposed to be diplomatically correct; and their chief interest is that they show in unbroken continuity the conviction, which six centuries of habit impressed upon Europe, that all dominion, to be lawful, must be derived from Rome.

¹ The Venedotian code gives the titles, duties, privileges, and perquisites of forty-two officers, male and

female, attached to the royal household of Wales. *Ancient Laws of Wales*, vol. i. pp. 4-77.

CHAPTER XIII.

DUNSTAN.

EARLY LIFE OF DUNSTAN. STATE OF THE CHURCH. REASONS FOR CLERICAL CELIBACY. QUARREL WITH EDWI. EDWI'S CONDUCT AND DEPOSITION. CHARACTER OF EDGAR AND HIS REIGN. EDWARD THE MARTYR. REACTION AGAINST THE MONASTIC MOVEMENT. DUNSTAN'S TRIUMPH. MURDER OF EDWARD.

FOR nearly forty years after Edred's death the history of England is no longer that of its kings, but of a religious reformer, who forced a change of the greatest moment upon an unwilling nation; and having been the trusted servant of one king, deprived a second of half his dominions, established a third on the throne, and moulded the character both of that sovereign and of his successor. Unhappily, Dunstan's biography has suffered as much from the praise of his friends as from the censure of his enemies; and the whole history of the struggle which placed him in power must be constructed out of conjectural criticisms. The very records of his early life are disfigured with improbable miracles, which even Catholic biographers are glad quietly to pass by.

Dunstan was born¹ in the reign of Edward, and is

¹ A. D. 925 is given as the date of his birth by Osbern; *Anglia Sacra*, vol. ii. p. 90; and A. S. Chron., A. 925. This date cannot be reconciled with the early accounts of Dunstan's life, which state that Athelstane em-

said to have been of Saxon extraction,¹ and nephew of Athelm, archbishop of Canterbury. Placed for education in the school of Glastonbury, the boy studied with so much zeal that his nervous system was prostrated by a fever, attended with somnambulism. Through his uncle's influence he was early introduced at court; his nature was passionate and artistic; his tastes secular; he delighted in music and ladies' society,² and his fondness for the old ballad literature exposed him to the charge of using pagan charms; a suspicion not in itself unnatural, as many heathen rhymes had been degraded to uses of sorcery.³ A more likely danger for such a man as Dunstan lay in the attractions of married life; and although destined for orders from youth upwards, and strongly urged by his uncle to make his profession, he for some time hesitated, arguing that a Christian life in the world was the higher and nobler discipline.⁴ At this critical period he was again visited by illness, which seemed the judgment of Heaven; his uncle improved the opportunity, and Dunstan rose from his sick-bed pledged to a monastic life. He threw himself into his

played him in public affairs, or with Dunstan's own speech at the Synod of Calne, A.D. 978, where he complains of being an old man. Nor does it seem likely that Edred would have offered him a bishopric, if he was only twenty-eight in A.D. 953, the year of the bishop of Crediton's death, thirty being the canonical age at which priest's orders were given. (Stevenson's Introduction to Bede, pp. ix. x.) Moreover, Malmesbury says that Dunstan was abbot of Glastonbury for twenty-two years. This seems to extend down to A.D. 962, when he was made archbishop of Canterbury, the usurpation of the

pseudo-Abbas not being reckoned. Even with this allowance, it is clear that his birth must be put back several years. *De Antiq. Glas. Ecc.*, Gale, vol. iii. pp. 317, 319.

¹ "His moder het (was named) Kynedride: his fader Herston." *Early Eng. Poems* by F. J. Furnivall, p. 35.

² Bridferth, *Acta Sanct.*, Mai. 19.

³ Grimm's *Deutsche Mythologie*, pp. 1180-1182.

⁴ "Respondit ille excellentioris gratiæ esse, qui in sæculo consenuit, et tamen quæ monacho digna sunt fecit." Osborn, *Anglia Sacra*, vol. ii. p. 95.

new vocation with all the energy of a man who feels that he has left behind him whatever of life was most valuable; and building a little cell more than half under ground, near the church of Winchester, divided his time, as the Benedictine rule required, between prayer and manual labour, chiefly as a smith.¹ Later legend told of the strange sounds that were heard issuing from the saint's retreat at night; and of his grim answer to the inquiring multitude, "The devil hath tried to drive me out of my cell. Beware, for if ye cannot endure his voice, how will ye bear to look upon him hereafter?" It is easy to understand that Dunstan's solitude, like that of Luther at the Wartburg, was peopled by the creations of a disordered fancy; and that the struggle between good and evil, intensified by his solitary life, would present itself in a dramatic embodiment to one who believed that the angels of God and Satan were always watching around him.

Under Edred, Dunstan speedily rose into notice and dignity. By his own wish, for a bishopric was offered him, he remained abbot of Glastonbury. His intention no doubt was to reform the monastic rule; which had gone through several phases of prosperity and decline. The first missionaries to the Saxons had been monks, and a central conventual establishment, from which priests went out on circuits to the remote parishes, had formed the nucleus of every diocese.² Gradually monasteries had been established on a rule resembling the Benedictine, but modified, as he thought, best by their English founder, Bennet.³ Unfortunately the ideas of the eighth century, while they made the alienation of

¹ He is said to have made two large bells for Abingdon Monastery. *Monasticon*, vol. i. p. 516.

² Kemble's Saxons in England,

vol. ii. pp. 414, 415.

³ Lingard's Anglo-Saxon Church, vol. i. p. 208.

public land for private purposes difficult, favoured it in the interests of religion; and it became the custom for the great nobles to obtain grants from the witan on condition of founding monasteries or convents, over which they themselves presided, superintending the discipline, but living within the walls with their wives and families. We scarcely need Bede's evidence to be assured that this practice gave rise to gross irregularities, especially when convents were the frequent resting-places of rich and royal travellers. It was a minor but a great evil, that the state was thus deprived of its means for maintaining and rewarding soldiers, and the fact helps to explain the repeated triumphs of invaders.¹ When the country at last recovered itself under Alfred, the Christian Church had almost to be reconstructed; and the question at first was not to restore monasteries, but to provide parish priests and schoolmasters. A liturgical service like that of the missal has the great advantage that it makes no high demands upon intellect; a number of untrained men were hastily ordained to supply vacancies; and were allowed to retain their wives by a breach of early custom. Similarly, but with less reason, the members of the old monasteries transformed themselves into canons,² and asserted their right to marry. The innovation was probably on the whole beneficial to public morality; for there is evidence, too full to be doubted, and too monstrous to be detailed, that the enforcement of celibacy among men with the passions of savages, and without the restraining influences of civilized life and public opinion, had

¹ Bede, *Ad Ecgbert Antist.*, ss. 11, 12. was very general. *Alcuini Epist.* 23, 158. *Asser, M. B.*, p. 493.

² The tendency to this change

produced a fearful harvest of crime. But the change had sprung from circumstances, not from conviction; it had never been sanctioned by the Church; the conscience of the best men of the time was against clerical marriages; and a certain sense of guilt seems accordingly to have demoralized those who accepted the new privilege; they even appear to have availed themselves of the doubtful legality of their marriage contracts to annul them at pleasure and take second wives.¹ Moreover, earnest men complained that the priest no longer thought of enriching the Church, but of providing for his family; and without reference to the questionable duty of endowing the establishment, it is easy to see that the incomes calculated to support single men would leave little margin for charity, when strained to sustain households. Lastly, the tendency of those times on the continent and in England was to feudalism; so that the fiefs, granted in theory for a life's service, in practice became everywhere hereditary.² No good man could desire to see hereditary bishops and abbots enjoying the highest rewards of learning and piety. Merely from a political point of view, to preserve a counterpoise to the state, and an outlet for the intellectual energy of the lower classes, it was of the highest importance that the Church should not be feudalized. The most certain means to save it was to hew down the evil, root and branch—to keep the priest from having a family. Considering all these practical reasons, which no clergyman could then fail to appreciate keenly; considering, moreover, that in the re-action against the

¹ Ethelred, ii. 5; A. S. Laws, vol. i. p. 317. "Some priests have two wives and more." Wolstan, 614, quoted by Lingard, A. S. Church, vol. ii. p. 296.

² See Wilkins' Concilia, vol. i. p. 653. § 17, on hereditary succession to benefices, and Gir. Cam.'s Opera, vol. iii. p. 129.

gross vices of the flesh which the polished Roman society had practised, the superstitious purism of the Essenes and Montanists had been taken up into popular Christianity; we can hardly wonder that Dunstan and the best men of his time should make it the great work of their lives to put down marriage among the clergy. That their very triumph laid the foundation for other forms of evil and misery is certain. That Dunstan's character was disfigured by little affectations, was impulsive and wanted quiet strength, was harsh when he thought God's cause in danger, and superstitiously prone to mistake his own views for God's will, may be established from his words and acts. But he belongs none the less to the small number of men who are able to think outside traditional limits, and are willing to risk life and happiness for an idea; it was only the fault of a narrow intellect, if the man was greater in himself than in his works.

Dunstan was summoned to attend the death-bed of Edred (A. D. 955), and receive the last instructions about some property that had been confided to his care. He arrived too late to find his patron alive, but thought himself qualified by a knowledge of Edred's intentions to discharge the trust.¹ The new king, Edwi, was a boy of only eighteen, whom the secular historian of the times calls "loveable,"² while the monkish biographers of Dunstan describe him as weak and profligate. Both accounts may be easily reconciled. Nearly fifty charters of donations to friends and monasteries in a single year attest Edwi's liberality,³ but indicate a weak and profuse prince; and it would scarcely be

¹ Allen's Enquiry, pp. 238, 239.

² Æthelweard, M. B., p. 520.

³ Cod. Dip., vols. ii. and v.

wonderful if such a man, so early king, and endowed with singular beauty, attracted and yielded to the love of women in times which were certainly rather devout than moral. But Edwi's great offence in the eyes of the Church was an uncanonical marriage with his cousin, Ælfgiva. On the very day of the coronation he deserted his guests for his wife; the nobles murmured, and Dunstan and bishop Cynesige penetrated into the king's apartment, and brought him back into the banquet-hall; Anglo-Saxon decorum was scandalized with the news that their sovereign, probably tired out with the day's ceremony, had thrown the crown of State upon the ground. The breach between the king and queen and Dunstan was now irreparable. Edwi demanded an account of the treasures confided to Dunstan, and when the abbot refused, sequestered his property. The Glastonbury canons took part with royalty against their severe and unpopular abbot; Dunstan was deprived of his preferment, and fled in haste to Flanders, fearing personal violence (A. D. 956).

Dunstan's panegyrists say that Edwi now persecuted the monks. The charge is easily disproved. There were only two monasteries in the kingdom, those of Glastonbury and Abingdon, in which the Benedictine rule was established, and Edwi was the benefactor of both.¹ But being himself uncanonically married, he was not likely to enforce measures against the married clergy whose

¹ Cod. Dip., 441, 1194, 1208, are grants to Abingdon; the first mentioning "the Blessed Benedict, the most glorious patron of the monks." The Chronicle of Abingdon says that the abbot, Æthelwold, a friend of Dunstan, got whatever he asked from the king, vol. i. p. 168. Cod. Dip., 438,

to Glastonbury, is marked spurious by Mr. Kemble; but Mr. Allen quotes the *Monasticon* to prove that grants of sixty hides were made to that monastery by Edwi and his servants. Allen's Enquiry, p. 240. Cf. Malmesbury, *De Antiq. Glas. Eccl.*, Gale, vol. iii. p. 319.

crime was his own; and the refusal to reform irregularities was no doubt considered persecution by the high churchmen. In one instance we find him allowing a son to reclaim property which the father had forfeited, by his adultery, to the Church.¹ The right to certain property had been contested, during more than thirty years, between his grandmother Eadgifa and a Kentish landowner; Edwi gave sentence against the queen-dowager; the case was one in which each party swore flatly against the other, and Eadgifa's best title was derived from an act of confiscation. But the monks declared that Edwi was robbing his grandmother, to punish her for her love of the Church, and Edgar reversed the decision after his brother's death.² Edwi is taxed with other acts of wholesale spoliation; that he took away crown lands from his opponents, and gave

¹ Cod. Dip., 601.

² We only know Eadgifa's story from herself and her partisans. She accused Goda of foreclosing a mortgage which had been already paid off. After he had occupied the estate nearly six years, the witan gave sentence in her favour; this king Edward enforced; and presently confiscating all Goda's estates, gave them to Eadgifa, who from pity restored to Goda all except her original property and one other manor, but kept the title-deeds. Under Athelstane even these deeds were given back at the king's intercession, the queen-dowager still keeping the two manors to herself. These Goda's sons prevailed on Edwi to assign them. When Edgar reversed this decision, Eadgifa presented the title-deeds to Christchurch monastery. Cod. Dip., 499, 737. In this story it

is noteworthy that Eadgifa only professes to have proved her father's payment by an oath of thirty pounds value (i.e. sworn to by persons whose witnessing capacity was rated at that value); that, as Edward's wife, the king's verdict in her favour is not exempt from suspicion; and that the restoration of the deeds, at her stepson's intercession, looks very much as if she were conscious of some illegality. Curiously enough, a charter of Edward's is extant which gives the estates in question to Christchurch monastery, mentions Goda as the original owner, but gives no hint of Eadgifa. If the charter is genuine (and Mr. Kemble accepts it), it looks as if the queen had begged the forfeited property for life, with reversion to the monastery, and without respect to her original claim. Cod. Dip., 896.

them to his friends, is the natural explanation of this charge. It is probable that the public property might in many cases be resumed legally by a new king, or seized for trifling offences.¹ A wise man in a critical period would have been careful how he meddled with property; but Edwi was profuse, and not wise. The fact that the grants in the first year of his reign were mostly made in Wessex, perhaps shows that he chiefly favoured the men of the southern province. Anyhow, in A. D. 957, a rebellion promoted by the Primate and Dunstan broke out, when Mercia and Northumbria declared in favour of the king's brother Edgar, while the Saxons were faithful to Edwi. At a time when insurrections were so frequent, and when provinces changed their master in a battle, we need scarcely wonder at Edgar's success; from viceroy he became joint-king,² with the northern provinces for his share; and one of his first acts was to recall Dunstan. Edwi seems, moreover, to have been forced to consent to a divorce from his queen; and a doubtful tradition asserts that she or some other lady, a royal mistress, died from the horrible mutilations which the clerical party inflicted on her. At this distance of time it can only be said that rebels in the cause of religion have been capable of the worst atrocities, but that monkish biographers were quite as likely to invent a crime to do credit to their heroes. The fact that an Ælfgiva, also of the royal family, was alive eight

¹ After the conquest the crown-lands were constantly resumed by a new king. They were apparently liable to forfeiture in Anglo-Saxon times, if the lessee's tenant committed a crime involving slavery or death as its punishment. Cod. Dip.,

1090.

² Mr. Allen inclines to think that Edgar was joint-king from the first. But such an arrangement was not natural, and Edgar was only twelve years old when his brother became king.

years after Edwi's death, and received a grant of lands from Edgar to reward her affectionate care for him, is perhaps better evidence against the crime than any that has been adduced for it.¹ Even if the tale were true the infamy of this transaction would rest on archbishop Odo,² not on Dunstan. In A. D. 958, Edwi died. The manner of his death is unknown, but it is said to have been tragical, and his subjects' love followed him.

The real government of England was now in the hands of Dunstan, whom Edgar's witan had made bishop of Worcester and London successively (A. D. 957, 958), and who succeeded a little later to the primacy (A. D. 962). Edgar, whom his brother's death had left sole monarch of England, was still only fifteen years old. He has been described to us by the Saxon poets in terms that seem strangely inconsistent, as a devout man who honoured God's law, and promoted his glory, but who was fond of foreign vices and heathen customs. The inconsistency really lies in Edgar's character and public acts. He had the brute courage of a soldier, and a fair portion of official activity, but wanted strength of will and political foresight. He put down rebellions when they broke out, and even extended his power by sea; but he never tried to reduce the Anglo-

¹ Cod. Dip., 526. Dunstan is among the witnesses. Ælfgyva the wife of King Edmund had died in Edwi's reign at latest. Cod. Dip., 641. Æthelweard says before her husband. M. B., p. 520.

² Odo was called popularly Odo the Good. But as a boy he quarrelled with his father, and as a bishop he asserted the rights of the Church in a most offensive style. "We warn the king and princes, and all who are in power, that they obey the archbishop and other bishops with great

reverence." Const. ii., Wilkins, vol. i. p. 212. The wild Danish blood in his veins might lead him to an act which perhaps was legal, and which he would certainly think righteous. By Ethelred's laws, a little later—vi. 7, A. S. Laws, vol. i. p. 317—it is decreed that all whores be banished, or, in case of contumacy, put to death. Now, whether the victim were Edwi's uncanonical wife or a mistress, would make no difference in the eyes of an ecclesiastical lawyer.

Danish provinces to any orderly subjection; the first settlers had been military colonists, and under Edgar they are still designated as the "army."¹ The organization of a fleet, and some petty wars against the Welsh and the Ostmen of Dublin,² are the great achievements of Edgar's reign, over which the vain-glorious language of his charters, the friendly praises of monkish chroniclers, and the legend of eight tributary kings at Chester, have cast a false lustre. In his court Edgar, himself educated among the Anglian-Danes,³ seems to have affected the habits of foreign civilization, which was now outstripping the progress of the insular Saxons. In his morals, the young king was the most infamous of Anglo-Saxon sovereigns; woman's honour was not safe from his lust, nor his friend's life from his violence. It is to Dunstan's credit, that, in one flagrant case, where the protection of a convent had been violated, he condemned the guilty king to a penance which Edgar's vanity no doubt felt keenly, forbidding him to wear the royal crown for a space of seven years. But Dunstan was not in a condition to break with Edgar; the king condoned a series of crimes, far more atrocious than those which had lost Edwi half a kingdom, by enforcing the dues of the Church, and supporting the monks against the married clergy.⁴

¹ Edgar's Laws, Sup. 15. A. S. Laws, vol. i. p. 279.

² Edgar's panegyrists magnified this into the conquest of the greater part of Ireland. Cod. Dip., 514, and vol. vi. p. 237. The charter is probably spurious, and Moore rejects the whole story indignantly. Hist. of Ireland, vol. ii. p. 88. Lappenberg, however, accepts the fact of an expedition: Eng. Gesch., Band i. s. 407; and I think a forger would

have taken care to introduce nothing that should be startlingly new. Egfrith, king of Northumbria, had already invaded Ireland in A. D. 684. Bede, H. E., lib. iv. c. 26.

³ Hist. Rames., c. 3. Gale, vol. iii. p. 387. Edgar is said afterwards to have deprived the children of his foster-parents of their inheritance. Hist. Eliens., lib. i. c. 5. Gale, vol. iii. p. 466.

⁴ In accepting the story of Osbern

Yet, in spite of all drawbacks, Edgar's reign was long looked back upon with affection by the Saxons. His Danish sympathies conciliated the most turbulent portion of his subjects; and the country enjoyed a peace of sixteen years. Trade flourished, population increased, and the complaints that begin to be heard of luxury are a proof of material well-being, as much at least as of a deficient moral tone. The legend of a law to restrain drunkenness, by providing that no man should drink more than a fixed measure in a tavern, was probably invented to explain the pins or pegs which the Danes placed in their cups; but true or false, the story is a fair instance of the meddlesome legislation of those times.¹ The tax of three hundred wolves' heads which Edgar imposed upon the Welsh, though it certainly did not extirpate the wolves, who were still a nuisance in England in the thirteenth century, shows a certain regard for the interests of agriculture.² The laws of police and trade were enforced; an uniform coinage

about Edgar's penance, it is quite unnecessary to assume that he had not been crowned before, and the connection of the end of his penance with the second coronation may be imaginary. The story in Malmesbury of the mother who substitutes a slave for her daughter, appears slightly changed in Hemingburgh, and is there told of king John. Malmesbury, lib. ii. 159. Hemingburgh, vol. i. p. 248.

¹ Malmesbury, lib. ii. p. 149. The origin of the regulation is perhaps confirmed by the 10th article of the Council of London, A. D. 1102; "ut presbyteri non eant ad potationes nec ad pinnas bibant." Wilkins, vol. i. p. 382.

² In the twelfth century trained

wolf-catchers were attached to the king's service. Dial. de Scac., lib. ii. c. 6. In A. D. 1281, a royal commission was issued for their destruction. New Rymer, vol. i. 2. p. 591. A century later, the author of Piers Plowman's Creed, ll. 913, 914, speaks of "wild were-wolves that will the folk robben." The superstition could scarcely have existed if wolves had not been known in parts of the country. In the life of Alderman Barnes of Newcastle, a Barnes of Hartforth, near Barnard Castle, is said to have been called Ambrose Roast Wolf, from the many wolves he hunted down and destroyed in the time of Henry VII. Longstaffe's Durham before the Conquest; Proceedings of Archæol. Inst., 1852, vol. i. p. 49.

decreed; and it was ordered that weights and measures should be one throughout the kingdom. Moreover, Edgar frequently moved his court, visiting and inspecting the different provinces, and providing for the better administration of justice. Dunstan sustained the police of the country with all the powers of religion. In a transport of harsh enthusiasm, he once refused to perform mass on Whit-Sunday, till sentence of mutilation for false coining had been executed on three of his own vassals.

The party of movement in the Church had triumphed, and they stamped their victory on the laws. The tithes, which were due three times a year—at the lambing-season, at harvest-time, and at Martinmas—were now enforced under a ninefold penalty;¹ and whoever failed to pay the hearth-penny or Peter's pence, was to repair in person to Rome, to be fined heavily, and in case of contumacy to forfeit all his goods. But above all, Dunstan followed up his contest with the married canons and clergy. Not satisfied with Edgar's lavish piety, he succeeded in procuring an order (A. D. 964) that the canons of Winchester, Chertsey, and Middleton, should revert to the monastic rule or give up their stalls; they preferred expulsion, and were replaced by professed monks. Aided by Oswald, bishop of Worcester, and by Æthelwold, bishop of Winchester, Dunstan carried out his reforms throughout the land. The nobles followed the king's example, or were influenced by the archbishop's zeal, and founded abbeys everywhere, till nearly

¹ This latter payment, though reckoned among the tithes in Edgar's Laws, was properly called *cyricsceat*, or churchsed. *Leges Hen. I.* xi. 4; A. S. Laws, vol. i. p. 520. The

Domesday of Worcester, vol. i. fol. 174, enforces it under a fine of eleven times the amount. See Hale's *Domesday of St. Paul's*, p. cxxiv.

fifty new or reformed foundations illustrated Dunstan's success. It was ordained that married men who took orders and continued to live with their wives should do penance as if for homicide. But the contest between enthusiasm and habit, between impulse and appetite, is not easily decided on either side. On the death of Edgar (A. D. 975), Ælfere, the ealdorman of Mercia, put himself at the head of a strong party, who opposed the succession of the eldest son, Edward, putting forward Ethelred, the young son of Ælfride, the queen-dowager, as a candidate. The question really was whether Dunstan should remain minister, and whether the church reforms should not be undone. By a general revolt in Mercia the married clergy were replaced in their benefices; and so strong was party feeling that it was unsafe for any man to be seen in the dress of a monk. But the nobles of East Anglia armed to prevent the movement from extending to their parts; and in a great meeting, Dunstan decided the witan to elect Edward. Nevertheless, the reaction was spreading in Wessex; and the landowners took part against Dunstan, disliking his violent interference with the rights of property. A council was called at Winchester, Ælfere supported the refractory clergy; while the monks declared that a crucifix on the wall had denounced the proposed backsliding. The meeting was adjourned to Calne, in Wiltshire. In the synod there held (A. D. 978), the clerical party brought forward a foreign champion, Beornhelm, whose eloquence and arguments proved more than equal to Dunstan's.¹ The practice, which had

¹ Beornhelm was *Scotorum Pontifex*; Osbern, *Anglia Sacra*, vol. ii. p. 112. Another champion of the

clergy was Fothad; Wright's *A. S. Literature*, p. 456.

crept in loosely, was now defended as apostolical, on the precedent of St. Peter; and the charge of Manicheism was brought against the promoters of celibacy. The charge was certainly false; a belief in the eternity of matter could hardly be ascribed to men whose contempt for the body was based on its perishable nature; but a certain advantage always rests with those who can plant a shameful by-word with a degree of logical plausibility. Nor can we doubt that to the secular clergy it was a real benefit to have a moral standing-point. At once clamoured and argued down, Dunstan gave up the unequal controversy in despair, declaring that he referred his cause to God's judgment. Suddenly the overcrowded building gave way; the mass of the meeting were killed or maimed in the general crash; while Dunstan escaped by clinging to a beam. The incident was considered decisive; God had answered his servant by a miracle: and the Anglo-Saxon priests were compelled henceforth to allow that marriage was wrong, and to practise it with a sense of guilt.¹

But Dunstan's hopes were again dashed by the news of Edward's death. The young king, returning from the chase, had visited his step-mother at Corfe Castle, and had been stabbed in the back by Ælfride's orders, (A. D. 978), while he drank the stirrup-cup.² The crime was no doubt the work of a faction, and Ælfere of Mercia

¹ I agree with Mr. Hallam, in opposition to Dean Milman, in thinking the accident better explained by the defective mechanics of the time, than by any plot. Setting aside the moral improbabilities, which I think conclusive against Dunstan's share in it, it is difficult to understand how the props of a floor could be so sawn

away as to support a large meeting till a preconcerted signal should be given, and should so fall as not to endanger the primate.

² Edward's name of "the martyr" was derived from the miracles said to be wrought by his body. Wendo-ver, vol. i. pp. 419, 420.

is said to have had a share in it. Dunstan expressed the public suspicions on the day of the coronation, when he stood up in the spirit of prophecy, and declared that such woes should come upon England and its blood-bought royalty as the land had never yet known. Nevertheless, the primate maintained his ascendancy, and the education of the young king, a boy only ten years old, was completed by monks. It seems as if public feeling had been stirred in all its depths by the late murder. Men said that the guilty Ælfere died the death of Herod, eaten by worms; and Ælfride, crushed by the public horror at her guilt, at last retired to a convent, and spent her last days in expiating the misdeeds of her life: the betrayal of a first husband, adultery, and assassination.

CHAPTER XIV.

THE DANISH CONQUEST.

EFFECTS OF DUNSTAN'S POLICY. RENEWED DANISH INVASIONS. WORTHLESS CHARACTER OF ÆTHELRED. THE DANISH MASSACRE. MARTYRDOM OF ÆLFEG. SWEYN OVERRUNS THE COUNTRY. EADRIC STREONA. REIGN OF EDMUND IRONSIDE. ACCESSION OF CANUTE. POLITICAL REVIEW OF THE REIGN.

HOW fatal the triumph of an idealist can be to the interests which he himself has at heart may be seen from the issue of Dunstan's political career. He remained to the end of his life supreme in the Church, and the chief man in the State. To him it is due that the celibacy of the regular clergy was henceforth enforced more or less rigidly in England, and that theory was in favour of extending that rule to the secular clergy, as was done about a hundred years later. But he himself must have felt that the battle was only half won while livings, and even bishoprics, were enjoyed by married men;¹ and he himself would probably have

¹ "Almar, bishop of Elmham, (at the Norman conquest), was a married man, and held the manor of Blofield in right of his wife, before and after he was made bishop." Munford's *Domesday of Norfolk*, p. 94. As late as A. D. 1194, "the incumbents of Dunston held the Church by inheritance." "Pope Pascal (A. D. 1107), while

using his utmost endeavours to prohibit the marriage of the priesthood, was compelled to allow that the sons of the clergy should be instituted to ecclesiastical benefices." Palgrave's *Introd. Rot. Cur. Regis.*, pp. xxviii.-xxx. "It seems to yourselves that ye have no sin in so living in female intercourse as laymen." Ælfric's

thought that feudalism had been shut out of the Church at too great a cost, had he lived to see the unbounded dissolution of morals that prevailed in the eleventh century among the clergy, who sank under the weight of a doctrine which they had neither strength to live up to nor to contest.¹ Still more important for England was Dunstan's influence in training the young king. It is doubtful if Ethelred could ever have been good for much; the race of Alfred was rotting away under vices which seemed to be sapping energy and intellect: but in the character of a man who combined the superstition of a monk,² and unbridled passions with incapacity to act, it is impossible not to recognize the results of that rigid narrow-minded training which destroys the will in order to save the soul. So long as Dunstan lived, all was outwardly well. His pupil indeed was not always obedient. At the instigation of one Æthelsine, whom he afterwards denounced as the enemy of God and of the people,³ he ravaged the church lands in a quarrel

Pastoral, s. 32; A. S. Laws, vol. ii. p. 377. "*Lichfeldensis episcopus . . . cui uxor publice habita filiique procreati.*" *Lanfranc, Epist.* 4, vol. i. p. 22. Compare *Bracton*, fol. 32. lib. ii. c. 15, for an attempt to change the endowment of a church from "*personæ et ecclesiæ et successoribus suis*" to "*personæ et heredibus suis.*" But this was not allowed, as being to the prejudice of the Church.

¹ Malmesbury's evidence on this point (lib. iii. p. 418) has been called in question, on account of his tendency to flatter the Normans. But it is confirmed by the general tone of Ælfric's *Pastoral Canons*, by the *Institutes of Polity*, and by the sermon of Wulfstan, quoted in the *Biog.*

Ang. Sax., pp. 507, 508. In the history of the abbey of Ramsey there is a curious story of a bishop Etheric, under Canute, who makes a Dane with whom he is dining drunk, and so cheats him of an estate. *Cap.* 85; *Gale*, vol. iii. p. 441.

² "*Ethelredus . . . monachum potius quam militem actione prætendebat.*" *Vita S. Elphegi*, *Ang. Sac.*, ii. 131. One of the most curious transactions of the reign is, that in A. D. 1013, when Ethelred and his family were fugitives, abbot Ælfsige, who was in attendance on the queen, found means to purchase the body of St. Florentine, all but the head, for five hundred pounds. *A. S. Chron.*, A. 1013.

³ *Cod. Dip.*, 700, from which it ap-

with the citizens of Rochester, and forced the primate to buy him off (A. D. 986); but the ascendancy of unworthy favourites had not yet brought treason and anarchy into the land. Before long Ethelred was deprived of the counsels of the two churchmen who had some influence for good over him; the bishop of Winchester, Æthelwold (A. D. 984), and Dunstan (A. D. 988). The statesmen trained by Athelstane and his brothers were now passed away; the Danish ships already appeared on the seas to ravage the English coasts; and men were looking forward with awe to the completion of the first thousand years since the birth of Christ, and believing that their Lord would return to judge the world. The death of Dunstan seemed to be the beginning of woes.

The event soon corresponded to these presages. In A. D. 988, the Danes appeared at Watchet, and in A. D. 991, they burned Ipswich, when the fatal precedent of buying them off was introduced by the counsel of archbishop Siric. Of course, claimants for the tribute of cowards were never wanting, and during the next ten years, (A. D. 991-1001), the Danes ravaged the country far and wide. It was no one leader with views of ultimate conquest; but men whose only object was to destroy and plunder. The first great expedition equipped against them miscarried through Ethelred's folly in the choice of a general. With his father-in-law, the earl Thored,¹ an old veteran, he associated Ælfric, son of the infamous Ælfere of Mercia, who had succeeded his

pears that he kept a portion of the lands for several years.

¹ Ailred of Rievaulx, l. 158. Brompton (X Scriptores, c. 877) says that Ethelred married the daughter of count Egbert, and Lappenberg, accordingly, makes her a second wife,

which was not Brompton's idea, as he calls her the mother of Edmund Ironside. The name Egcbert was given to a son of Æthelred's, (Cod. Dip., 698), but I can find no mention of an earl of that name.

father as ealdorman (A. D. 983), and was banished for some unknown offence, only two years later, by the witan. Restored to Æthelred's favour, but not to power, Ælfric took the first occasion of revenge, and deserted with his men, to the Danes, whom he warned of an impending attack. (A. D. 992). In the short action that ensued, Ælfric's own ship was sunk by his indignant countrymen and his son taken prisoner and blinded, but the traitor himself escaped, and the Danes were saved. The history of this campaign is pretty much the history of all. With inexplicable baseness the nobles of the Anglo-Saxons, sometimes actuated by Danish affinities, more often by the sordid lust of gain, betrayed the trusts committed to them, and sent private intelligence to the enemy, or refused to lead their soldiers into battle. The city militias, on the other hand, appear to have done their duty nobly, and London in particular beat back the invaders with more loss than they ever thought to have sustained from townsmen.¹ But the country was paralyzed by the conduct of the king. At times sunk in pleasure, at times rousing himself with a flash of activity to some effort which proved useless because isolated, he completed the ruin of the country by the gigantic measures taken to defend it; and the fleet starved while it waited for the forces that were not yet mustered.² On the whole Ethelred succeeded best in diplomacy. He invited the savage Olaf to Andover, loaded him with gifts, stood godfather to him at confirmation, and so worked upon his dormant Christianity that he consented to leave the island (A. D. 994). It was only one chief the less, and Sweyn kept the field with a host of inferior captains. The crisis

¹ A. S. Chron., A. 994.

² A. S. Chron., A. 999.

was complicated in the year A. D. 1000 by a war with Normandy. The war was impolitic, for the Normans were the natural allies of England against the Danes; and the English forces were repulsed with loss by the men of the Cotentin, whom their wives assisted to do battle against the invaders. It would seem that the relations of the two countries were extensive, for Richard imprisoned a number of Englishmen who were in his dominions for the sake of commerce or of good government. Already once before, in A. D. 991, Pope John XV. had interfered in the interests of Christendom, and negotiated a peace; on this occasion a marriage was arranged between Ethelred, now a widower, and Emma, the sister of the Norman duke (A. D. 1002).¹ This connection of the two courts alarmed the jealousy of the Danes, who had lately sustained a defeat in Devon from the ealdorman Palig, and had agreed to sell peace; but were scattered up and down the country, still meditating its conquest, and only neglecting the precautions of war. They now resolved to anticipate any league that might be formed against them by the murder of the king and witan.² Their plan was disclosed, and Ethelred and his nobles, panic-struck and frenzied, took refuge in the last resource of cowards, assassination. Orders were sent over the country to exterminate the Danes on the next St. Bride's day, (November 13). The people, who had seen their wives and daughters insulted, their houses occupied, and their stores consumed by the invaders in time of peace, executed their commission with fearful

¹ Gul. Gemit., lib. iv. cap. 4, who, however, places the marriage before the war. The Saxon Chronicle gives the true date, A. D. 1002.

² "Because it was made known to

the king that they would treacherously bereave him of his life, and afterwards all his witan." A. S. Chron., A. 1002. Flor. Wig., vol. i. p. 156.

secrecy, sparing none, however exalted, and sometimes torturing their victims. Even Gunhilde, the sister of Sweyn, though a Christian, and known for good offices to the English, saw her husband and son put to death before she herself was murdered. When all excuses have been exhausted, it remains certain that the crime revolted the public feeling of the times; "it was such wickedness as the heathen themselves knew not of;"¹ the Sicilian vespers and the Irish massacre are its appropriate parallels. But the extent of the slaughter must not be overrated; it was probably confined to the countries south and west of Watling Street; and it certainly only aimed at the invading soldiery, for names that indicate a Danish origin are still to be found, as before, in the charters of the witan. The Danes vowed revenge, and for the next four years kept their vow terribly. Scarcely anywhere were they met in the field: Hugo a Norman had been appointed governor of Exeter, and betrayed his trust; Ælfric of Hampshire would not lead his men into battle;² Wulfnoth of Sussex, threatened with ruin by a court intrigue, turned pirate, with the fleet under his charge. Only the ealdorman of East Anglia, Ulfkytel, did his duty manfully; and though his forces were half-hearted, he succeeded in driving Sweyn back to his ships. Amid the miseries of the time, few impressed the popular mind more deeply than

¹ Gul. Gemit., lib. iv. cap. 6.

² Florence of Worcester identifies this Ælfric with the son of Ælfere. It is difficult to believe even of Ethelred that he could have restored a double-dyed traitor, whose son he had blinded, to favour and to power. There was another Ælfric, a brother of Eadric Streona, who might easily

be the traitor. Florence, vol. i. p. 160. In the charters an Ælfric signs himself dux, in 994, only two years after Ælfric of Mercia's treachery, and Wentaniensium Provinciarum dux a year later, Cod. Dip., 687, 698. Evidently this was the man who refused to lead the men of Hampshire and Wiltshire in A. D. 1003.

the murder of the primate. Ælfeg was captured by the Danes, when Canterbury was betrayed to them by Ælfmær, one of the superior clergy, and was saved from the horrible sack of the town that a ransom might be extorted from him. After seven months' captivity, they fixed the sum at three thousand pounds of gold, calculating, no doubt, on the people's attachment to him. Ælfeg answered that he had no private property; and that he would never take the money of Christian men to give it to Pagans, or counsel the king to an act so inconsistent with the honour of the kingdom. He proceeded to preach to the assembled warriors, when a blow from an axe cut his sermon short, and he was struck and stoned to death.¹ Ten equally resolute men in high place might have saved the monarchy.

Sweyn now aimed at establishing a kingdom. The Angles had gone over to his side, and proved among the most bitter foes of the Saxons.² Above all, the fortunes of the kingdom were now swayed by a family of remarkable men, who had risen from the ranks by merit, and aimed at establishing their position by holding the balance between conflicting interests. Eadric Streona had married Ethelred's daughter, Eadgitha, and in A. D. 1007, had been made ealdorman of Mercia. His brother Brihtric had been the cause of Wulfnoth's revolt; from another brother, Ægelmær, Godwin, afterwards so celebrated, descended.³ Eadric was distin-

¹ "Lapidibus." Vita S. Elph., Ang. Sac., ii. p. 140. "They led him to their husting, and cast upon him bones and the heads of oxen," (A. S. Chron., A. 1012), as if a banquet were going on at the time.

² "Angli quo amplius cognatum populum afflicti cernebant eo

ferociores instare." Vita S. Elph., Ang. Sac., ii. p. 135.

³ This relationship has been doubted, but the language of Florence of Worcester is express. Vol. i. p. 160. There is a great resemblance between the character of Eadric, given by Florence, and that ascribed to

guished by craft and eloquence: he was treacherous and cruel above any man even in those disorderly times; he never shrunk from assassinating a rival, or betraying the national cause: on one occasion, when the Danes had been intercepted, and lay at Ethelred's mercy, the weak king had been induced by Eadric's counsels to spare them. Yet Ethelred's cause was sufficiently hopeless without a traitor in the camp; Sweyn swept over England in the summer of A. D. 1013, taking hostages from the towns; and only foiled by the desperate resistance of London. It is characteristic of the Danes that many of them were drowned in the Thames, because they disdained to cross it by bridge or ford. At last even London gave way, and concluded peace; Ethelred followed his family to the Norman court; and England remained in the hands of Sweyn and Thurkill, a Danish captain who had served Ethelred faithfully, but who now, on the king's flight, indemnified himself by plunder for his short loyalty to the cause of order.

Fortunately, next year (A. D. 1014), Sweyn died. Churchmen said that while he was blaspheming St. Edmund, in the midst of his *ting*, the saint appeared armed, pierced through the ranks of warriors who crowded round their lord, and smote the monarch to the ground, as St. Mercury had slain Julian the Apos-tate.¹ The Danes now elected Canute as their leader,

Godwin and his sons, in the Westminster life of king Edward the Confessor (p. 409), although the latter is from the favourable point of view. Caution, dissimulation, and treachery, are the main features, which are relieved in Harold and Tostig by courage and generosity.

¹ Flor. Wig., vol. i. p. 168. The

Saxon Chronicle says simply, "Sweyn ended his days." The beautiful later legend must probably be rationalized into a sudden death by aneurism or apoplexy, resulting from overwork or a feast. So in the Yngl. Saga, c. xvi., king Vanlandi is trodden to death in sleep by the night-mare, while his gesith in vain press round

while the Saxon witan recalled Ethelred, on condition that he would follow good counsel, and govern mercifully. For a time Ethelred seems to have held his own. His fleet commanded the seas, and Olaf Haraldson, of Norway, took service under him against the Danes. In a great fight at Southwark, where the Danes had planted a castle against London tower, they contrived to occupy London bridge, and swept the Thames with an artillery of stones and arrows. Olaf rowed up the stream on a covered raft, moored it to the pier, and putting off again, dragged down piles and bridge in one ruin into the river.¹ But Ethelred could not profit by a heroic example or be false to his own nature; the expedient of a new Danish massacre appeared to him the most easy way of terminating the war; and although it could not be carried out as fully as before, the more powerful Danish thanes were assassinated during a session of the Witenagemot at Oxford. Their followers burst into St. Frideswide's church, and tried to hold it against the citizens; but when other means failed the people fired the building and burned it, with all inside.² Thurkill, who once more had taken service against his countrymen, now joined them, fearing for his own safety; while the English forces were headed by the Ætheling Edmund Ironside, a brave man and a patriot. By his father's death, (A. D. 1016), Edmund became king; bursting out of London, where he was besieged, he rode into Northumbria and rallied its forces under

him to help. Grimm, *Deutsche Mythologie*, p. 1194.

¹ Laing's *Heimskringla*, p. 10.

² *Malmesbury* (lib. ii. p. 297) speaks only of two nobles, as falsely accused and murdered by Eadric,

who desired their lands. Wendover (vol. i. p. 450) says many were killed. Cod. Dip., 709, spurious, but probably based on the document *Malmesbury* saw, refers the event to the first Danish massacre.

their warlike ealdorman, Uhtred. But the first weeks of the campaign were given to plunder, and Uhtred, recalled by the news that his own province was invaded, submitted to Canute and was assassinated. Edmund raised a new host, and defeated the Danes at Pen in Dorsetshire, and at Sheerstone in Wiltshire. Eadric Streona, who had joined Canute, now deserted to the conquering side; but the Danes, whose army was half English, were still in force to besiege London and ravage Mercia. An indecisive battle at Brentford was followed by a Saxon victory at Otford in Kent; and it is said that only Eadric's treacherous counsels saved the invaders from a pursuit that would have been fatal. As it was, no sooner had Eadmund withdrawn to Wessex than the Danes appeared in Mercia, burning and laying waste. The whole forces of the kingdom gathered against them, and before they could reach their ships they were overtaken at Assington in Essex. The English charged furiously, and the Danish host was already wavering, when Eadric, at the head of the Magsetas of Herefordshire, fled precipitately, shouting, "Flee, flee, Englishmen! Edmund is dead!" This turned the battle, and four English ealdormen and a host of inferior nobles fell gloriously upon a field as fatal to the Saxon dynasty as Hastings afterwards was to the Anglo-Danish. Edmund was willing to try the chances of war again, but Eadric and other princes interposed to effect a lasting peace on honourable terms. It was agreed that Edmund should be king over Wessex, Essex, and East Anglia. Northumbria and Mercia were to be assigned to Canute. Mercia and East Anglia had changed sides in this division, from the old order under Alfred and Edward the Elder; the reason is probably to be sought in Eadric's influence, and in the political troubles under Dunstan,

whose partizans had been chiefly Anglian, and his enemies Mercian. The partition did not last long. In November of this year, Edmund died at London. His death, by later historians, was ascribed to the treachery of Eadric, but they differ as to its manner, and the fact is far from certain.¹

Canute was not slow to profit by the new opportunity. He declared that it had been part of the treaty that whoever survived the other should succeed him as sole king for life, and should be guardian of the young princes. The witan, left without a leader, were unwilling to renew the bloody struggle, and accepted Canute's pretensions,² pledging faith to him and his captains by shaking hands with them. There were still some difficulties, but an energetic and unscrupulous man disposed of them easily. The young princes, whom Canute neither dared to keep in the country nor to kill there, were sent to the court of his half-brother, Olaf of Sweden, to be educated, with a hint that they had better die young; Olaf declined the dangerous charge and unprofitable crime, and sent the children to his father-in-law, king Jaroslaf of Russia,³ apparently that they might be kept at a distance. A series of murders illustrated the year. Edwi Ætheling, Edmund's brother, was an obvious object of distrust, and was banished;

¹ The Saxon Chronicle and Florence of Worcester simply say that king Edmund died. The later histories are less reliable: some of them ascribe it to poison; Huntingdon to the dagger; Malmesbury to a spike put in his seat. Eadric was quite capable of the crime, but it was not his interest to see England in the hands of one man, unless he really expected to supplant Canute. In the

Norman life of Edward the Confessor, lately published, the murder is ascribed to earl Godwin, (ll. 778-780), who was perhaps confounded with Godwin Porthund, one of Eadric's emissaries. Flor. Wig., vol. i. p. 158.

² Flor. Wig., vol. i. p. 180.

³ Munch, *det Norske Folk's Historie*, i. 2. p. 382.

but presently enticed back and slain. Eadric Streona, too faithless to be believed, and too powerful to be despised, speedily followed. In a private conference with the king, he recapitulated his infamous services, and complained that they were not worthily rewarded. Canute told him that he was a felon on his own evidence, and ordered him to be strangled and the body thrown into the Thames.¹ Norman, son of Leofwine, a Mercian noble, seems to have been in Eadric's company, and was cut down by the guards. Brihtic of Devonshire, and Æthelweard, were other victims of the day. But Canute discriminated in his acts of violence, and had no intention of governing by the sword. By marrying Emma, the queen-dowager, he connected himself with the old history of the country. Englishmen who could be trusted were advanced to honour. Godwin, Eadric's great nephew, but a man more reliable than his uncle, was married to Gytha, the sister of Canute's brother-in-law, and obtained the dignity of an earl at least as early as A. D. 1018.²

It is difficult to understand the political history of Ethelred and Edward's reigns. The nobles seem wantonly treacherous, the kings stupidly trustful to a degree that our present knowledge of events does not suffer us to understand. That Northumbrian chiefs with Danish blood in their veins should betray the forces entrusted to them is intelligible; but what had an ealdorman of Mercia or Hampshire to gain by allow-

¹ Compare Ingulfus, Gale, vol. i. p. 57; Hen. Hunt., M. B., p. 757; and Malmesbury, lib. ii. pp. 304, 305.

² Freeman's Life and Death of Earl Godwin; Archæol. Journal, 1854. Cod. Dip., 728, subscribed

by Godwine Dux. He can hardly have been a shepherd boy at the battle of Sheerstone, in A. D. 1016, as Mr. Sharon Turner and Thierry suppose. The story probably originated in his connection with the low-born Eadric Streona.

ing his province to be ravaged and his country made tributary? Why was Eadric Streona so often trusted by two kings, one of whom was his personal enemy,¹ and so unreservedly followed by the Mercians? Dr. Lappenberg conjectures that even the variations of his policy may have represented shifting provincial interests, that he may have been most Mercian when he was least English. It is difficult to believe that any intelligible principle, except individual interest, prevailed during those times. Southampton was the first city stormed by the Danes in A. D. 980, when most of its burghers were either slain or enslaved; in A. D. 994, it was the Danish head-quarters; in A. D. 1003 the Hampshire men went out gallantly against the Danes; yet in A. D. 1016, they fought on Canute's side against the Saxon king at Sheerstone. Similarly, we find the Anglians in A. D. 1004 inflicting severe losses upon Sweyn, in A. D. 1012 helping the Danes to storm Canterbury, while in A. D. 1016 they fight under Edmund at Assington, and are assigned to him as part of the Saxon kingdom. The Northumbrians in the spring of A. D. 1016 supported Edmund, when his own people of Wessex had made submission to the Danes and horsed their army, but in the autumn of that same year Northumbria was handed over to Canute. These facts can only be explained on the supposition that the power of the great nobles was almost absolute; a supposition which is confirmed by all we know of the times. The records of patrician lawlessness meet us everywhere. Now it is a widow who is robbed of her lands by Ethelred's favourite Ælfric of Mercia;² and now a church

¹ "Modis omnibus insidias clitoni dux tetendit." Flor. Wig., vol. ii. p. 171. Besides, Edmund had married

Ealdgyfa, the widow of one of Eadric's victims.

² Cod. Dip., 1312.

which cannot obtain stipulated payments from another favourite Leofsi, whom Ethelred had raised from the ranks and made ealdorman of Essex.¹ Assassination was so frequent an expedient that scarcely a great man dies without some whisper of treachery. Ælfeg, the highest placed of the ealdormen, was foully murdered by Leofsi, and three murders of nobles, besides his share in the first Danish massacre, are ascribed to Eadric Streona.² In these last cases Ethelred showed his horror of his minister's guilt by blinding the children of one victim and seizing the property of the others. The legend of Godric and Godiva attaches to one of Ethelred's earls, and attests the people's recollections of their sordid and brutal aristocracy.³ Its feudalism was neither restrained by law nor softened by chivalry; war had become a trade; and the man who from property or position could bring most soldiers into the field, made market of his advantages, without regard to his country. There were other causes at work: the different races were always at feud; and city and country were still almost as distinct as in the old Roman times. But the chief cause lay in the fact that power now centred in the hands of a few men, and that those men were for the most part irredeemably bad and base. A single Alfred or Athelstane might have reclaimed the national honour. But the well-meaning men of this century were the churchman Ælfeg, and the weak-minded king Edward the Confessor. England lay in the hands of the family of Eadric Streona.

¹ Hist. Eliensis, lib. i. c. 10. Gale, i. p. 469.

² Cod. Dip., 719. Flor. Wig., vol. i. pp. 158-170.

³ Godric is said by Dugdale to be

Leofric, earl of Cheshire under Ethelred, and made earl of Mercia by Canute. Dugdale's Baronage, vol. i. p. 9.

CHAPTER XV.

THE ANGLO-DANISH EPOCH.

CANUTE CONSOLIDATES HIS POWER. FAVOUR TO THE CHURCH. FEUDALISM AND THE GAME LAWS. ANNEXATION OF NORWAY, AND BATTLE AT HELGE-AA. CHARACTER OF CANUTE AND OF HIS SOVEREIGNTY. HAROLD HAREFOOT. MURDER OF ALFRED, AND QUESTION OF GODWIN'S COMPLICITY. HARDICANUTE'S REIGN. ACCESSION OF EDWARD THE CONFESSOR. GODWIN'S ASCENDANCY THREATENED BY NORMAN INFLUENCES. BANISHMENT AND RETURN TO POWER OF GODWIN. RIVALEY OF HAROLD AND TOSTIG. EDWARD'S DEATH AND CHARACTER.

ONE of Canute's first cares was to divide the spoil. A tax of more than eighty thousand pounds enabled him to pay off his forces and send the greater number of them back to Denmark. England was parcelled out into four provinces, out of which Canute kept Wessex to himself, gave East Anglia to Thurkil, and Northumbria to Eric. Eadric's successor in Mercia is unknown to us.¹ It was no part of Canute's policy to retain vassals as powerful as himself, and the great Danish captains gradually disappear from the scene. Eric, by one account, was banished, by another, assassinated.²

¹ Dugdale says it was given to Leofwine, and passed from him to his son Leofric. *Baronage*, p. 8. But Ingulfus, whom Dugdale refers to, says that Eadric's lands were given to Leofric, whose name does not appear

in the charters as ealdorman till A. D. 1026. Ingulfus; *Gale*, vol. i. p. 57. *Cod. Dip.*, 742.

² *Hen. Hunt, M. B.*, p. 757. *Munch, Det Norske Folk's Historie*, vol. i. part 2, p. 483.

Thurkil was banished by the witan (A. D. 1021). An Æthelweard, probably one of the few Saxon nobles, was also outlawed. As the provinces fell vacant they were divided among new men. Altogether, of fourteen ealdormen whom we know of in the first nine years of the reign, only four can be claimed as English, and one of these was the ruined Æthelweard. In fact, it was some years before lasting order was established. An Ædwi, called contemptuously the churl-king, because he was not of royal lineage, or because the people supported him,¹ gave trouble for four years, and was finally outlawed. Malcolm of Scotland, who had been bloodily repulsed by the Northumbrians during Ethelred's reign, took advantage of a divided land and invaded the Lothians. A great battle at Carham gave him the whole country between Forth and Tweed, and emboldened him to refuse homage for Cumberland.² Gradually the Danish king gained strength, chiefly, it would seem, by his church policy, and after nine years had elapsed we find English names reappearing largely among the ealdormen, and the king able to leave the country, without fear, to itself.³

It is a strong proof of the abiding influence exercised by Dunstan's views that Canute allied himself with the high church party. The English Church was invested with a sort of patriarchate over Denmark, and Englishmen were appointed to foreign bishoprics. The honour was not undeserved, for the

¹ Munch seems to imply that the term was used by Norsemen to denote kings who were not of divine ancestry. *Det Norske Folk's Historie*, vol. i. part 2. p. 675.

² Robertson's *Scotland under her Early Kings*, vol. i. pp. 95, 96.

³ There are no charters bearing

date for the years between A. D. 1026 and A. D. 1031. In the former year a great many new names appear in the signatures. The inference seems to be that Canute conciliated the English by a creation of new nobles, and was then able to devote a long absence to Italy and Norway.

labours of our missionaries among the heathen in Sweden and Norway are some offset to political decadence and literary sterility in the nation at large. A purer spirit than animated the English landowners presided over the king's councils when he forbade that Christian men should be sold too readily out of the land into service among the heathen. More substantial benefits to the Church as a corporation were the stringent enforcement of Peter's pence and of tithes: and an enactment that the priest guilty of a felony was to receive sentence from his bishop or from the Pope is the first recognition of an ecclesiastical jurisdiction in criminal matters. The monk for the first time is declared a member of a separate society; "he forsakes his law of kin when he submits to monastic law." By a superstition which had crept in under Dunstan's patronage, Sunday is extended from Saturday noon till Monday's dawn, and marketing, folkmotes, and worldly works, even hunting, were forbidden upon the sacred day.¹ Nor were these laws the mere concessions of a careless policy; Canute threw himself heartily into the popular faith. He built a church at Assington for the souls of those who had perished in his unrighteous wars, and made its consecration a feast of national importance. He endowed monasteries himself, and encouraged his nobility to join the movement. Only, and especially in Anglia, there was a growing tendency to put foundations under the canonical rules, which, though nearly as strict as the Benedictine, do not enforce a common dormitory, and so favoured the existence of a married clergy.² Once he even interfered at some political risk

¹ Canute's Laws: Eccles. 5, 8, 9, 10, 14, 15: Secular, 41, 42, 43, 44. A. S. Laws, vol. i. pp. 363-369, 401-403.

² Preface by Professor Stubbs to the "de Invent. Sanct. Crucis," pp. vi. vii.

to transfer the body of St. Ælfeg from London to Canterbury. The bridges and banks of the Thames were lined with the royal hus-carles, while others of the troops were ordered to occupy the sturdy Londoners with scuffles at the city gates. Under cover of this strategy the translation was happily accomplished, and the royal barge, with gilt dragons at its prow, carried off the imperishable remains to Plumstead, where the army of Kent secured them from further pursuit.¹ But the crown of all Canute's personal piety was his pilgrimage to Rome (A. D. 1027), which served the double purpose of an expiation for sin and a political demonstration. It was the time of the emperor Conrad's coronation, and Canute's presence was formal evidence that he was one of the European family of princes. Either his ability or his magnificence seems to have impressed his contemporaries, and he obtained promises from different sovereigns that English merchants and pilgrims should be freed from all toll on their way to Rome. The Pope consented to diminish the burdensome fees on the investiture of English prelates with the pall. A sovereign who had done so much for the Church deserved gratitude, and the clergy never wavered in their attachment to Canute, though his next act was to ally himself with the insurgent paganism of Norway against the fierce enforcer of Christianity, Olaf. The poetry of the cloister has even transfigured a Welsh legend for the Danish king's honour. The courtiers, it is said, dared to tell him that the winds and sea obeyed him. Canute sate on the strand till the waves dashed about his chair in defiance of the king's word. Then, bowing before a greater

¹ Osbern de Transl. S. Elpheg., *Anglia Sacra*, vol. ii. pp. 145, 146.

King than himself, he took the crown from his head, never more to be worn there, and placed it over the twisted thorns of the crucifix.¹

The civil government of Canute was that of a feudal sovereign; and we seem to be reading the record of Norman times in his enactments about purveyance, heriots, and the rights of wardships and succession. The treason of a vassal to his lord was now an offence punishable with the loss of life and property. On the other hand, heavy penalties were denounced against the lord who aided his follower to escape public justice. The duel was now first legalized as a form of process for Danes settled in England. The institution of the murdrum, an extension of the frank-pledge system from property to life, by which the district was made responsible for the were of lives lost within it if it could not give up the offender, was introduced to secure the Danes when their army had left England.² The first codification of stringent forest laws, for estates everywhere, but especially for the royal parks, is due to Canute, who must have had a Norse passion for the chase; four thanes were appointed in every province to control the jurisdiction of "venery and vert;" and the free Englishman who killed a stag was to be punished with loss of liberty, the serf with loss of life. Foxes were treated as vermin whom any man might slay. Bishops and barons were allowed the range of the royal preserves, but were to pay for any stag they might kill.

¹ Compare the Welsh story of a trial on the sea-shore to see who shall be supreme king, in which Maelgoun triumphs over his rivals by means of a chair with waxed wings under it. Welsh Laws, vol. ii. book v. cap. 2. pp. 49-51.

² Leges Edw. Conf., c. 16; A. S. Laws, vol. i. p. 449. Bracton says that the fine was fixed at sixty-six marks (De Legibus, lib. iii. c. 15); probably a mistake for forty-six, the sum under William the Conqueror.

Only a gentleman might keep greyhounds on the borders of the forest, and then their fangs must be drawn.¹ It is clear that Canute, like William the Conqueror, is open to the reproach of loving "the tall deer as if he were their father."

The great achievement of Canute's reign was the annexation of Norway, whose actual king, Olaf Haroldson, was regarded as a rebel to the Danish crown, and had aided Ethelred in his last struggle for sovereignty. Moreover, discontents had arisen in Denmark at the long absence of a sovereign who thought that one kingdom was not enough for him. The presence of an English armada destroyed all hopes of a successful rebellion, and Hardicanute, whose boyish treason had been encouraged by queen Emma and Ulf Jarl, was advised to submit, and was at once pardoned by his father.² The fleet now set sail for the Swedish coast, where Olaf and Onund of Sweden awaited it with combined but inferior forces. In a great battle at Helge-Aa the Danish fleet was disordered by timber, which suddenly drifted in on them from a dam made and then cut by the allies. But the disparity of force was too great to be overcome by any expedient, and the battle had all the consequences of a victory for the Danes. Olaf's captains were bribed away from him; his forces scattered to their own homes; and Canute's visit to Nidaros or Trondhjem was rather a triumphal progress than a military expedition. The Norsemen were weary of Olaf's proselytism, and his stern justice to high and

¹ Const. de Forest., 1, 11, 24, 26, 27; A. S. Laws, vol. i. pp. 426, 427, 429.

² Snorrio Sturleson says that queen Emma had forged a letter as

if from Canute, giving his son full power. It is difficult to understand her motive, unless she was jealous of Canute's sons by Aliva. Laing's *Heimskringla*, vol. ii. pp. 244, 245.

low had alienated the nobles without conciliating the people. The ideal of good times in the north was when every man did what was right in his own eyes. Canute was readily elected by men who rather preferred that their sovereign should reside away from them, and that government should be left to the earls and lensmen of the country. Canute's first viceroy was the powerful earl Hakun; and when Hakun perished at sea, Sven, Canute's son, by Alfiva, daughter of Alfelme, ealdorman of Northamptonshire,¹ was invested, as it would seem, with the sovereignty. Olaf perished in an unsuccessful attempt to retrieve his kingdom (A. D. 1030).

Canute's power was now firmly established, and he was able to retrieve his honour in Scotland, where he compelled Duncan to renew the homage due to the English crown for Cumberland (A. D. 1032). But his kingdom was still so loosely knit that an accident might shatter the whole fabric. The Wends who then peopled Pomerania had almost made the Baltic a Slavonian lake, and infested the Elbe provinces. Canute was allied with their sovereign, and did not care to engage in a distant war. Robert the Devil, duke of Normandy, had married a sister of Canute. He divorced her and took up the cause of his nephews, the English Æthelings. A great fleet threatened the English coasts, but it was scattered by adverse winds, and the duke seems to have diverted his arms to Brittany (A. D. 1034). Sven and his mother had roused the spirit of independence in Norway by arrogance and new stern laws. The people transferred their allegiance to Magnus Olafson, and Alfiva and her son were forced to fly into Denmark (A. D. 1035). Canute died soon after the loss of his last

¹ Flor. Wig., vol. i. p. 190. Ingulfus; Gale, vol. i. p. 61.

won dominion. In an age of good soldiers he was able to hold his own, and was comparatively a statesman by the side of the Saxon kings, of Sweyn or Olaf. He gave England peace, and had reduced it before his death to be the most orderly of his provinces. But he had not any real power of organization. Perhaps no man could then have welded England and Scandinavia into one great federal state, but Canute scarcely aimed at more than to leave kingdoms to his sons. Distrusting the great earls, he found no better expedient than to murder them, and left the country parcelled out into little sovereignties. The order he established was not more durable than the order he had destroyed under Ethelred, and his own dynasty was overthrown by the one English noble whom he had picked out for trust. Nor is there the impress of greatness on Canute's personal history. He had the cunning of a fox, the passions of a child, and the vindictive memory of a savage. It was noticed that he was most free-handed when he gave to strangers. He threatened the scald with death who composed too short a poem in his honour.¹ Ulf Jarl, his brother-in-law, had served him with doubtful loyalty in Denmark, but had decided the battle at Helge-Aa. Canute quarrelled with him over chess, and ordered him next morning to be assassinated in church. The crime was condoned by benefactions to the monastery, and it is his gifts to churches that have embalmed Canute's name in our chronicles. Bad even for his own bad times, he had the instinct to see that the Church was powerful, and he gave without stint where an object was to be secured.

On the death of Canute, (A. D. 1035), several claim-

¹ Laing's *Heimskringla*, vol. ii. pp. 255, 271.

ants appeared for the vacant crown. The eldest son of Canute was Harold Harefoot, whom the Danish party and the citizens of London, now in the Danish interest, supported;¹ but the Saxons disliked the prospect of a Danish king, and declared that Harold was a cobbler's son, and that Canute's first wife had been barren. The Saxon nobles inclined towards Hardicanute, the son of Canute and Emma, who appeared to conciliate Danish and English interests, but who at this critical moment was absent in Denmark, where he was acknowledged king. But the Saxon people wished for the Ætheling Alfred, Emma's eldest son by Ethelred, who was still the legitimate heir, and whom it was believed in Normandy Canute had promised to designate his successor in half of the kingdom, as the price of peace with Robert the Devil.² In this confusion of interests, with the nobles demoralized by long anarchy, and with no statesman of settled views at the helm, Harold easily procured his acknowledgment in the provinces north of the Thames, while the kingship of Wessex and Kent was entrusted to Emma, in custody for her son, who was still under age; Godwin, the earl of Kent, was her minister;³ and the body-guard of Canute, the hus-carles, were in her service.⁴ Matters seem to have remained thus for a few months, but Emma's power was uncertain, and Harold contrived to seize the greater part of the royal treasure at Winchester. Suddenly the Æthelings Alfred and Edward⁵ arrived in England with a body of several hundred Frenchmen and Normans,

¹ A. S. Chron., A. 1036. "Elegerunt eum Dani et Landoniæ cives qui jam pene in barbarorum mores propter frequentem convictum transierant." Malmesbury, lib. ii. p. 318.

² Wendover, vol. i. p. 474. Flor. Wig., vol. i. p. 257.

³ Gul. Gemit., lib. v. c. 12.

⁴ A. S. Chron., A. 1036.

⁵ Whether Edward landed is a

who had partly been furnished by their brother-in-law, Eustace of Boulogne. It is quite possible that Emma, disliking her perilous position, or preferring Alfred, educated in the Norman court, to her Danish son, Hardicanute, had sent for the Ætheling; but it is probable that he had not been invited by any large party among the nobles, who were more than half Danish, and who had nothing to gain from a prince with foreign favourites. Still Alfred was a dangerous rival to a king with an uncertain title, and Harold proposed a conference to adjust their claims. The Ætheling set out with six hundred men as an escort; he was surrounded and seized in Guildford; his followers cruelly put to death or enslaved; and he himself blinded and sent to the monastery of Ely, in which he presently died. By whom the foul crime was perpetrated is one of the darkest riddles of history. Six years later, earl Godwin and Lyfing, bishop of Worcester, were denounced by Ælfric, archbishop of York, as guilty of this treason; and Godwin seems to have admitted the charge, as far as surprising the Ætheling's retinue and seizing his person were concerned, while he strenuously declared that he had acted against his will and under orders from the king.¹ The answer, which was supported by strong testimony, is not unlikely to be true. Godwin's interests lay in supporting Hardicanute, with whom he was remotely connected by marriage; he may very likely have

little uncertain. One account represents him as repulsed from Southampton. Gul. Gemit., lib. vi. c. 8. The *Encomium Emmæ* says that he did not attempt to leave Normandy. Duchesne, p. 175. The *Saxon Chronicle*, however, and Florence of Worcester, represent both as coming over.

¹ "Non sui consilii nec suæ voluntatis fuisse quod frater ejus cæcatus fuisset sed dominum suum regem Haroldum illum facere quod fecit jussisse cum totius fere Angliæ principibus et ministris dignioribus regi juravit." Flor. Wig., vol. i. p. 196.

thought it expedient to prevent the beginnings of civil war; we need not suppose that he conducted the expedition against Guildford himself; he probably, on a promise that Alfred should have no harm done to him, agreed to leave his followers to their fate, perhaps ordering the gates of Guildford to be opened to Harold's soldiers, perhaps only keeping back the Saxon forces to which Alfred looked for support. If this view of the transaction be true, and it is in keeping with Godwin's politic character, it accounts for the long concealment of the earl's complicity; it gives the reason why Harold never molested him; it explains why Hardicanute was willing to condone the offence, and why Edward, at a time when he would not forgive, was yet never able to punish it; it allows us to reconcile Godwin's position as Emma's minister and support in Saxon chronicles, with the infamy which Norman writers attach to his name. Our judgment would be a little clearer could we decide certainly whether Alfred was on his way from Winchester to London, or from some Kentish port to Oxford: the former is the story of the Saxon party, the latter of Norman historians; and it makes the difference whether we suppose that the earl of Kent had no share in promoting the enterprise, or that he received the prince with flattering promises, and lured him on to his destruction.¹ The shield has its white and its black

¹ Florence of Worcester takes the prince from Winchester to London, but strangely enough both he and the Saxon Chronicle lay the blame on Godwin; William of Jumièges and William of Poitou, make Canterbury the port; and the author of the *Encomium Emmæ* probably had a Kentish port in his mind, as he makes Godwin

lead the prince aside from London to Guildford; he, however, brings no charge of treason against the earl. *Gul. Gemit.*, lib. vi. c. 9. *Gul. Pict.*, p. 78. *Enc. Emm.*, Duchesne, p. 175. To complete the confusion, *Malmesbury*, generally on the Norman side, regards the charges against Godwin as unproved, and calls him "justitiosus"

side; it depends on which side we stand, whether Godwin is a traitor or only a partizan, who, like many not over-scrupulous men, meditated a small villany, and was entangled in the consequences of a great crime.

Alfred's death put England at Harold's feet. He proceeded to banish Emma, who fled to Bruges, where Baldwin of Flanders, her great-nephew, supported her; that she did not in her poverty take refuge with her son in Denmark is perhaps some proof that she had conspired against him; the Ætheling Edward returned to Normandy. The queen, however, entered into fresh plans for expelling Harold, and Hardicanute had come with his fleet to Bruges, which was then almost a seaport, when the news of Harold's sudden death (A. D. 1040)¹ relieved them from further difficulty. In the weakness of his uncertain rule, the country had been without law, the fen lands filled with fugitives, and the marches ravaged by the Welsh;² but personally the king had not been oppressive, and had freely lavished the treasures which he had acquired by murder. Only the one unpardonable crime blackened his memory with a stain, which the interested praises of monkish chroniclers could never efface in the estimation of the people.

Hardicanute was welcomed joyfully in England, but he soon estranged the people's affections by imposing a heavy tax for the benefit of his Danish fleet. The other acts of his short reign show him to have been a weak and unprincipled man. He ordered the body of Harold

propugnator." Lib. ii. p. 321. The charter in which Edward the Confessor is made to ascribe his brother's death to Harold and Hardicanute need no longer perplex the question, as Mr. Kemble considers it spurious. Cod. Dip., 824. Even if it be genu-

ine, I believe the charge is, by an ungrammatical construction, really brought against the Danes, as in charter 825, not against the two kings.

¹ Cf. Cod. Dip., 758.

² Ingulfi Hist. Gale, vol. i. p. 61.

to be disinterred from its grave in St. Clement Danes, and thrown into the Thames; he brought Godwin and Lyfing to trial for the death of Alfred, condoned Godwin's offence for the present of a splendid ship, and deprived Lyfing of his bishopric, but restored him again after a year; lastly, by an extortionate impost of ship-money, the king excited a rebellion in Worcester, which he punished with fire and sword, as if he were in an enemy's country. Fortunately for the kingdom which he misgoverned, Hardicanute, who was of a sickly constitution, died of his excesses at a marriage banquet given by one of his nobles, (A. D. 1042).¹

Among the better points of the late king's character, had been his conduct to his mother Emma and his half-brother Edward, who were both resident at the English court at the time of his death. Edward, fortunately for his own interests, had yielded to the ascendancy of earl Godwin; Emma seems not to have been reconciled to a man whom she esteemed the murderer of her favourite son, and she had never been on good terms with Edward. She was evidently a daring, resolute woman; her first husband had treated her badly, and she can have had little sympathy with his well-meaning but feeble second son. After a short interregnum, the interest of Godwin and Lyfing prevailed in raising Edward to the throne, to the exclusion of the Danish candidate, Sven, Canute's nephew, and of Edward, son of Edmund Ironsides, the legitimate heir, but absent in Hungary. The first act of the new king was to take away all his mother's property; a decent maintenance was allowed

¹ The story of a war between Danes and Saxons in Hardicanute's time (*Lives of Edw. Conf.*, pp. 40,

41) must probably be referred back to the days of Sweyn.

her, and Winchester assigned her as a residence; a similar act of confiscation despoiled her adherent, Stigand, bishop of Elmham. The excuse of the Saxon Chronicle, that Emma had dealt ungenerously with her son, is clearly insufficient, although weak impulses and petty malice make up much of Edward's character; the act was one of a party headed by Godwin, and was meant to place an impassable gulf between the king and the earl's most implacable enemy. Other events indicate the accession of Godwin to power. He becomes about this time earl of Wessex, the one important province of England which the crown had always kept hitherto in its own hands. Above all, his daughter Edith was married to the king. It is probable Edward did not desire the union; he had all the feelings of a monk, and lived to the last day of his life separate from his queen. But it is impossible to believe that at this time he regarded Godwin as the murderer of his brother; or if, as his Norman biographers state, he was only yielding in all he did to official necessities, he deserves a deeper infamy than the foulest suspicions ascribe to Godwin's conduct.

In spite of Edward's weak character, the country was in some respects well governed. The claims of Magnus of Norway to the English crown, which Hardicanute was said to have promised him, were rejected with dignity by the witan; a powerful navy secured the shores of the island from outrage, and only twice did roving fleets achieve a temporary success; the incursions of the Welsh were repressed; comparative order was maintained generally, and commerce flourished again. The nobility were now half Danish, and although two or three Danes of eminence were outlawed, Danish blood was no impediment to holding the highest offices at

court;¹ in fact, the Northumbrians were as well aware as the Southrons that their interests were English; and when Godwin, influenced by his marriage connections, proposed interference in the civil wars of Denmark, the witan unanimously refused. All, therefore, would have been well but for the ambition of Godwin's family, and for Edward's partiality to foreign favourites. Not contented with Kent and Wessex for himself, Godwin had obtained an earldom on the Welsh marches for his eldest son Swegen, and the same dignity in East Anglia for his second son Harold. Swegen first fell, through his own violence: he seduced the abbess of Leominster, and was deprived of his earldom (A. D. 1046); his brother Harold, and a cousin, Beorn, between whom his earldom had been divided,² opposed his restoration at court; and Swegen enticed Beorn on board a ship, and foully murdered him. The rebel was now proclaimed a "nithing,"—the worst aggravation of judicial outlawry, and most of his men, horror-struck at the crime, deserted him (A. D. 1049). The odium of this act must in some degree have attached to Godwin, at whose house Swegen and Beorn had met for the last time. The earl had reason to feel that his influence was on the wane, and it was only a temporary triumph, perhaps a ruinous one, that he at last procured Swegen's recall and restoration, together with the expulsion of Beorn's brother, Aasbiorn. The powerful earl Siward of Huntingdon was now forced to take up the feud for his slain relative, Beorn. Little signs showed that the Danish-Norman interests predominated at court. The Norman Robert had been appointed archbishop of Canterbury instead of Ailric,

¹ Worsaae's *Danes and Northmen*, pp. 145, 146.

² *Munch det Norske Folks Historie*, vol. 2. p. 168.

whom the monks of Christchurch elected, and whom Godwin supported as a kinsman of his own. Godwin, like other nobles of the time, was a spoiler of church lands. He had seized and destroyed Berkeley Abbey with such circumstances of lawlessness that his own wife refused ever to live upon the estate. He was soon involved in a quarrel with the primate about some estates in Kent;¹ and Robert revived the old charge of the earl's treason to Alfred, and persuaded Edward of its truth. The king evidently aimed at surrounding himself with creatures of his own. His nephew, Raoul, son of the earl of Mantes, by Goda, afterwards married to Eustace of Boulogne, was made a staller or lord chamberlain of the court, was invested with large estates in Norfolk, and seems to have succeeded Swegen as earl in the Welsh marches, where he built a castle in Norman fashion, and garrisoned it with foreign mercenaries.² A host of hungry dependants had crossed into England as into a land of promise, and found or expected preferment. It is even said that, under the king's influence, the courtiers affected the use of the French language, and imitated Norman manners.³ Foreign clerks now sate in the witan, introducing alien words into the laws, and strange forms into the charters, and interposed between the king's patronage and the subject's importunity.⁴

¹ *Lives of Edw. Conf., L.*, pp. 399, 400. Eadmer accuses Godwin of fraudulently obtaining the town of Folkestone by archbishop Eadsey's connivance. *Hist. Nov.*, lib. i. p. 350.

² On Raoul de Gael, *J. R. Planché*, pp. 34, 35. The staller was superintendent of the court, or a sort of high steward; there were

several at the time in England. *Worsaae's Danes*, p. 400. Lappenberg, with great probability, refers the castle built by "Welisce menn," foreigners, in Herefordshire, to Raoul's followers. *Gesch. Eng.*, Band i. ss. 505-507.

³ *Hist. Ingulf.*, Gale, vol. i. p. 62.

⁴ *Palgrave's England and Nor-*

While matters were in this critical state, Eustace, count of Boulogne, happened to return by way of Dover from a visit to the English court. As the count's retinue dispersed themselves in a disorderly manner to seek quarters in the houses of the citizens, a quarrel broke out in one house, whose owner resisted the obnoxious claim; the Saxon was cut down, and Eustace and his followers rode through the narrow streets of the town, slaying men and women, and trampling children under foot. But they were dealing with men who had arms in their hands, and the burghers drove the foreigners with shame and loss into the castle, which was held by a French garrison.¹ Eustace went back to his brother-in-law, and demanded vengeance for the insult. The king called upon Godwin, as ealdorman of the district, to inflict severe punishment upon Dover; but Godwin was not inclined to alienate his own people in an unjust cause and in the interest of strangers. He collected an army, indeed, but he led it against Gloucester, where the court was staying, and demanded that the foreign garrison should be expelled from Dover, the scene of the late outrage, and from Hereford, where Swegen's adherents had been persecuted. Edward, however, was not unprepared for a contest; he had summoned the great northern earls, Siward and Leofric, to his assistance; and a numerous well-appointed Anglian army was now in the field and burning to give

mandy, vol. iii. p. 283. Among French words in the laws "chemini;" "chemins;" "gerbæ," for "gerbes;" and "villanus," for "villain," may be cited, though much stress cannot be laid upon this, since the laws, as we have them, profess to

have been collected after the Conquest.

¹ Florence of Worcester distinguishes the companions of Eustace from the Normans and men of Boulogne, who held the castle on the hill of Dover. Vol. i. pp. 205, 206.

battle. But the counsels of all wise men were against a civil war, and it was determined to refer the questions at issue to a meeting of the witan at Southwark. The change of place or the delay in time was fatal to Godwin whose army melted from him. Edward pressed his advantage, revived the old charge of his brother's murder, and demanded that Godwin should stand his trial, while he refused to grant him hostages for his safety ; so that the earl was glad to compound for five days' truce, during which he might leave the land. It is a proof of the absence of anything like international policy in those days, that Godwin and Swegen took refuge with Edward's kinsman, the count of Flanders. Harold and Leofwin preferred exile in Ireland. The family were outlawed ; and Edward, the unresisting victim of his counsellors, was induced to part from his wife, who retired with royal state to Wilton convent.¹

It is probable that the victory of the Norman party was pushed too far, for many Englishmen left the country to share Godwin's exile. The earl himself had no thought but of return ; his sons Harold and Leofwin were the first to try the western coasts ; but the ealdormen of the country were staunch to Edward, and Harold only gained a battle, and carried off plunder as if in an enemy's country. Godwin was more fortunate. The sympathies of Kent, Sussex, and Surrey were with him ; and when his sons joined him, their united ships were able to force the royal fleet, under Raoul the Staller, to retire, and sailed victoriously up the Thames, while their army marched along the banks by favour of the citizens of London, who left their bridge unguarded.

¹ Lives of Edw. Conf., L., p. 403. Florence of Worcester, however, says that she was sent with only one maid

to Wherwell convent, where a sister of Edward was abbess.

Edward's army was small, for his cause was now unpopular, and the natives were all anxious to avoid bloodshed: negotiations were therefore begun, and the more unpopular of the Norman courtiers at once took flight for the continent, foreseeing what the issue would be. In fact, Godwin fell at the king's feet, and adjured him in Christ's name to allow a man wrongfully accused to establish his innocence, till the king, at once touched and unable to resist, declared himself satisfied with the submission offered, and the earl and his sons were restored to their honours and possessions, with the one exception of Swegen, who had before this set out from Flanders on a pilgrimage to expiate his crimes, from which he never returned. Godwin did not live long to enjoy his recovered power. In the Easter of the next year he fell back in his seat at the royal table, and died within three days. The calumnies of Norman chroniclers declared that the judgment of God overtook him, as he swore to his innocence of Alfred's death. Later history, in rejecting this fable, has inclined to surround the character of the great earl and his son with the last sunshine of the Saxon monarchy. Yet Godwin, if he was no worse than other and smaller men of his time, was assuredly no better. Crafty, silent, and resolute, shrinking from unnecessary scandals, but careless of any means that might serve his end, he fought and schemed only for his own hand: he was mayor of the palace to a Merovingian king; and although he would never have copied Pepin in snatching at the externals of royalty, he undoubtedly meant to found a dynasty. The Danes were his stepping-stones to power; the Normans his rivals; he used the one and opposed the other accordingly; and if he was indeed a patriot, it was his singular fortune that his sympathies favoured his ambition.

Godwin's death and Swegen's absence from the coun-

try promoted the fortunes of the family. Harold succeeded to his father's earlship, and appears, about A. D. 1056, in command of the western district, once held by Swegen. He probably replaced Raoul the Staller, who had sustained a disastrous defeat from the Welsh a year before, by horsing his untrained Saxon infantry in the fashion of Norman cavaliers.¹ Edith's favourite brother, Tostig, in A. D. 1055, succeeded to the government of the north, left vacant by Siward's death and his son's nonage. The fortunate death of the Ætheling Edward (A. D. 1057),² removed a dangerous rival to the ambition of the brothers; and a series of victories over the Welsh raised the reputation of the two earls among their countrymen. Seldom had the mountaineers been so sharply punished. Harold coasted round Wales, burning and plundering as he went, and at last landed with a body of light troops, and harried the country up to the very foot of Snowdon, while Tostig invaded it from the east with a troop of horse. All males were slain without respect of age, till the Welsh, in a panic, murdered their warlike king Griffin, whose head, with that of other chiefs, was sent to the English court. (A. D. 1063). It was one condition of the peace imposed, that any Welshman found outside Offa's dyke should have his right hand cut off.³ Harold and Tostig now became rivals for

¹ Raoul had commanded the fleet which Godwin drove before him. On his second failure, the earl, already unpopular as a foreign favourite, was accused of cowardice (Flor. Wig., vol. i. p. 213); and as we hear no more of him till his death, December, A. D. 1057 (Planché on Raoul de Gael, p. 35), it seems likely that he was replaced in his government by Harold, whom we find commanding there.

² On his arrival in England he was kept from seeing the king (A. S. Chron., A. 1057), who had meant to declare him his heir. Flor. Wig., vol. i. p. 215. Godwin's sons must have had some share in preventing an interview; and it is difficult to believe that the death was natural.

³ Flor. Wig., vol. i. pp. 221, 222. Joan. Saris. Polycraticon, lib. vi. c. 6.

power. Tostig, however, at once secret in his designs, violent in his acts, and rapacious in his administration, had excited the hatred of the Northumbrians. The province had been disorderly beyond all England, so that men travelling in parties of twenty or thirty were not even thus secure from robbery. Tostig restored order with a ferocity that was as lawless as the spirit he combated, and murdered two of his enemies in his own rooms, while another, Gospatrick, was treacherously slain at court by the queen.¹ As soon as it was known that there was an open breach between the two brothers, the Northumbrians rose up in arms, outlawed Tostig, slew his officers, and drove him out of the north, advancing themselves in battle array southwards, where they plundered the country and made slaves. Harold headed a royal commission to arrange terms with the rebels, but secretly he supported their complaints against his brother;² and, in spite of the favour of the old king, Tostig was forced to leave England and take refuge at Baldwin's court. (A. D. 1065). The shock of these family quarrels proved fatal to the king, who sickened and presently died. (January, A. D. 1066). Public rumour said that on his death-bed he was rapt with the spirit of prophecy, and declared that, on account of the crimes of the dukes and higher clergy of the country, the judgment of God would visit England within a year and a day, and devils lay waste the land with fire and sword. The courtiers and Harold himself were dumb with horror; but the primate Stigand, who had dared the thunders of Rome, holding Canterbury without a pall while its Norman archbishop was alive, whispered

¹ Flor. Wig., vol. i. p. 223. Cf. of Edw. Conf., L., pp. 422, 423. Lives of Edw. Conf., L., pp. 421, The Saxon Chronicle, however, says 422. Hen. Hunt., M. B., 761. that Harold tried to work a reconciliation.

² So at least thought Tostig. Lives

in the earl's ear that the sick old man did not know what words he uttered.

It is difficult to do justice to Edward's character. He was the last of the golden-haired, blue-eyed race of Cerdic and Alfred, in whom English sovereignty was symbolized; and while the sons of Godwin jested at his simplicity, the people, who groaned under strong rulers, idolized their mild and saintly king. For Edward loved mercy and justice as a part of religion; when he saw the gold of the Dane-geld in his treasury, it seemed to him that the devil was dancing gleefully on the money wrung from a toil-stricken people, and he caused it to be restored, and abolished the tax for ever. The first miracle he performed, from which was derived the custom of touching for the king's evil, is proof of his goodness of heart: a poor scrofulous woman believed that the king could restore her to health by his prayers and touch; and Edward took the suppliant into his palace, and kept her there until good food had produced its natural results in her cure.¹ We can understand the love such a man would attract, the more as he joined a royal presence to easy courteous manners, and disguised his weakness of will by his sensibility to passionate impulse, while his temper was kept within bounds by the gentleman's habit of self-control. But in all that makes up intellect and character, Edward was little better than half-witted.² He knew that dishonesty to the state was a crying sin of the times, and yet he dismissed the thief whom he found plundering the treasury, with a warning that he had better not be found out. A devout man, he could do nothing to

¹ Lives of Edw. Conf., L., p. 428.

² "Rex simplex" he is called by Barth de Cotton; De Episc., p. 376.

prevent the wholesale spoilation of Church lands. He knew that the great nobles and prelates misused their powers over the people, and yet he consented to a law which transferred the jurisdiction, in criminal matters, from the local courts to the feudal lords, in all cases where their dependants were concerned.¹ Himself a warm-hearted man, clinging to old ties, and with a strong sense of duty, he plundered and disgraced his mother in obedience to one court faction, and separated from his queen to please another. He is a striking example how small an interval divides weakness from vice in the character of a king. That his reign was comparatively prosperous is due to the accident of his foreign connections, and to the ability of Godwin and his sons; the Normans had more to hope from peace than from war; the Englishmen who aspired to succeed their king were eager to win their spurs. Hence it came that Edward was on the whole well served: the Welsh were bloodily beaten back; Macbeth of Scotland, who had thrown off the English allegiance, was defeated, and replaced on the throne by Malcolm, the English nominee, and son of the murdered Duncan, (A. D. 1055). But the soldier whom Edward trusted and promoted, Raoul the Staller, sustained disgraceful reverses by sea and land, and was accused by the public voice of incapacity. When Ælfgar, the earl of Anglia, was outlawed by the witan, he replaced himself in his government by the aid of Danish mercenaries; they were days when law was powerless against the strong, and the central authority was only respected if the

¹ *Leges Edw. Conf.*, 21; *A. S. Laws*, vol. i. p. 451. There had evidently been attempts some time previously to introduce this abuse, and

Canute expressly forbade it. *Laws of King Cnut*, 31; *A. S. Laws*, vol. i. p. 395.

sympathies or the interests of some powerful earl supported it. For England, for Europe, it was insufferable that this anarchy of a great country should endure. That a strong ruler would ultimately restore order was probable, for the kingdom was too small to admit of division, like Germany; but who that ruler should be—whether native, to confirm England in its insularity, or foreign, to bind it with Europe—was a question that Edward left undecided, or that he only settled on his death-bed; he had wishes, but no will; and his wishes were probably for his Norman cousin, his sense of duty for a Saxon. He had once tried to secure the succession to his cousin, the Ætheling Edward; the judgment of God had interposed; and Edward died, having established nothing, presaging the worst, and leaving the event to Heaven.¹

¹ The positive statements of one of the Saxon Chronicles, of Florence, and of the writer of Edward's Life, can hardly be said to settle the question, whether Edward made a nuncupative will. It was Harold's interest to spread the story; and

stronger evidence was produced, in A. D. 1135, to show that Henry I. disinherited his daughter. Norman writers are equally positive that the Confessor had given the crown to his cousin.

CHAPTER XVI.

ANGLO-SAXON POLICE.

BRITAIN DIVIDED ANEW. HUNDREDS AND TITHINGS. THE EALDORMAN AND COUNTY COURTS. MUTUAL POLICE, OR FRANK-PLEDGE SYSTEM. FEUDAL JURISDICTIONS. A CASE OF CRIMINAL LAW. NATURE OF THE EVIDENCE REQUIRED IN DOUBTFUL CASES. TRIAL OF THUR-KILL AND HIS WIFE. BINARY JURISDICTION OF STATE AND CHURCH: THE STATE ASSESSING DAMAGE, THE CHURCH PUNISHING SIN.

THE conquest of England by the Saxons was effected, as we have seen, by a series of petty invasions. It is probable that for many years it scarcely affected property in the towns, which often contracted with the invaders; and in which the conquerors did not care to dwell. But in the country the case was far different. The Anglo-Saxon not only required land for his support, but, by the ancestral polity of his tribes, civil freedom and nobility depended upon its possession.¹ Moreover, the people were sufficiently civilized to have certain principles of division; the allotments of land were probably made on a uniform scale to every

¹ "And if a ceorl thrived, so that he had fully five hides of his own land, church and kitchen, bell-house and burgh-gate seat, and special duty in the king's hall, then was he thenceforth of thane-right worthy." Ranks: A. S. Laws, vol. i. p. 191. Thus, the abbot of Ely fraudulently conveyed

some of the abbey lands to his brother, that he might have the forty hides of land requisite for the highest nobles. Hist. Eliensis, Gale, vol. iii. p. 113. Contrariwise, the landless man was regarded with suspicion by the law.

freeman;¹ and a portion was held in reserve by the state to be granted away in reward for public services, or to supply the wants of new generations. Probably, as at the Norman conquest, the more eminent of the British landowners were allowed to remain on a portion of their estates as tributaries; while the peasants and prisoners of war were enslaved. Numberless differences of condition would arise in the several districts from the accidents of their conquest. But generally, there can be little doubt that the ancient landmarks of estates were removed everywhere, and the country divided anew to suit the organization of its conquerors.

To appreciate the Anglo-Saxon settlement, we must bear in mind that the conquering people were in every case a little army composed of a number of companies, united by blood, by language, and by a common name. Each company, in its turn, was formed, in part at least, of men who bore the name of their chief, his *gesith*, or battle-brothers, if not actually his kin. Thus Kent was parcelled out among Alings and Banings, Billings and Derings, whose captains we may fairly assume to have had names such as Al and Bana, Bil and Deor.² But as the family bond was artificial, it was supplemented by a numerical principle of division. Ten families constituted a tithing, the self-governing unit of the state,³

¹ The hide or allotment seems to have contained from thirty to thirty-three acres in the first years of the settlement and ultimately to have been increased to a hundred or a hundred and twenty. See Appendix B.

² Meaning respectively, Eel, Homicide, Axe, and Deer.

³ Savigny, dissenting from all his predecessors, has surmised that ten

families constituted a *frith-borh*, ten *frith-borhs* a tithing, and ten tithings a hundred. His reasons are, that the *frith-borh* is spoken of as a division, and that a magistrate to ten families seems excessive. But there is no need to assume that the *frith-borh* is anything more than another name for a tithing, especially as the citizen is sometimes called *frith-*

which is now represented among us by the parish,¹ and ten tithings were a hundred, whose court administered justice among the little communities themselves. As the people settled down, the terms tithing and hundred naturally came to stand for divisions of land, not for any specific number of families. An uncertain and probably fluctuating number of these constituted the shire, whose distinguishing feature seems to have been that its head,² the duke or ealdorman, was not the elect of the people in historical times, but either their hereditary chief, or, as royal families died out, their viceroy. As a consequence of this, the county had from the first all the organization of a state; it included in its gemot all the different orders of society; it had its local army, and could make war; it was fringed by a march or border of waste land, which no neighbour could violate without risk of war, and on which no squatter could acquire property by residence; which was, in a word, the sacred limit of a dominion.

If we take modern names, perhaps none will so well express the position of a county duke as our title of lord-lieutenant. A degraded king, as it were, he sometimes styled himself, "by the grace of God;"³ but by

borgus. A magistrate to ten privileged families, having tenants and slaves, and spread over the country, would not be excessive, even while the division was numerical. Athelstane's laws place the matter beyond controversy. "That we count always ten men together; and the chief should direct the nine in each of those duties which we have all ordained, and count afterwards their hydens together, and one-hynden man." *Judicia Civ. Lond.*, A. S.

Laws, vol. i. p. 233. Savigny's *Römische Rechts-Geschichte*, Band iii. p. 82.

¹ Toulmin Smith, *the Parish*, p. 16.

² "If he be an ealdorman, let him forfeit his shire" (in case of compounding a felony). *Ine*, 36; *A. S. Laws*, vol. i. p. 125.

³ *Cod. Dip.*, 256, where the shire is spoken of as "*sua propria hereditas*." The titles *Dux* and *Comes* are, however, Roman.

the conditions of Saxon royalty, his title was never indefeasible, however circumstances and prestige might tend to perpetuate it in a single family. Probably in most shires there were several families of ealdormanic rank, from whom the holder of office was selected by the king, with advice and consent of his witan. Wielding an *imperium in imperio*, like the governor of an American state, the duke was chiefly important as military chief of his province, and as declaring to the county court the laws which the witan or court of the nation had passed. But his functions as supreme judge in the district could be exercised in his absence by the scir-gerefa, or sheriff, who held his court twice a year, assisted by the bishop, as the duke's deputy, and who seems practically to have controlled the police of the county. The importance of these functions in days when the royal prerogative included a part of the fines of justice, purveyance, and heriot, will be easily understood; the scir-gerefa came more and more to be regarded as a royal officer, especially since the imposition of oaths fell under his province; the king might depose him if he were negligent, and the analogy of Norman custom seems to show that the king appointed him. The only popular magistrates in the country were therefore the tithing and hundred reeves; the former of whom were always, the latter mostly, elected by their respective communes. The smaller questions of debt and police were probably decided by these men in their respective courts; the freemen of the tithing would meet as occasion required; the hundred court was summoned once a month. But besides this, the tithing and hundred reeves headed delegacies from their districts to sit in the higher courts, on questions for which their own powers were inadequate. This was probably an innovation on the old principle, which required the attendance of all freemen.

The increase of population, and the demands of labour, on a people who had ceased to be soldiers receiving rent from their tenantry, will sufficiently explain why the right of attending the scir-gemot became an irksome duty, and fell gradually into disuse.

It is clear that the functions of police must precede the administration of justice. The earliest practice no doubt committed to the individual the charge of providing for his life and property; the earliest legislation consisted in drawing up a tariff to assess the compensation incurred for crime; the only recognition of a commonwealth in the whole theory was in the assignment of a certain proportion of the penalty to the state. This wiht-gild, or crime-money, as it came to be called in distinction from the were-gild, or life-money, was no return for a service rendered by the community, but value for a loss which it had sustained; the criminal had subtracted so much labour or life from the common stock, and was bound to indemnify his fellow-citizens. The only duty of the royal officers was to watch the contract between the aggrieved party and the offender, and see that a due proportion of the fine found its way to the treasury. In default of a national police, the tithings and hundreds formed unions for public safety among themselves. The ties of family which at first united their members, and a common religion, had given rise to periodical feasts,¹ and in these gatherings was the germ of corporate life, as it was natural that clansmen, neighbours, and friends should unite to pursue a thief or a murderer, or even to wage war against an oppressive noble or public-officer; it was equally natural that the people of a district, being thus regarded as an association, should in turn be called

¹ Wilda's *Gilden-Wesen*, Erster Abschnitt.

upon by their neighbours to give up a criminal, and in default of this, to purge themselves legally of all complicity, or else to take the consequences of his offence upon themselves. Immemorial custom passed easily into law; and the English kings consolidated the frith-borh, or frank-pledge system, by codifying its regulations, and obliging all their subjects, if they were not vassals of some lord,¹ to be sworn members of some association. Private feud was thus prevented, and although crime could not be put down, it was certain that the sum of compensation would always be equal to the sum of injury.

In the mention of vassals and lords we approach a new feature of Anglo-Saxon polity. The unit of the tithing and of the state was the head of the family, who governed his wife under contract, his children, saving life and freedom, till they became of age, and his slave to all time unconditionally, except as regarded life and limb. A control of this sort in itself implies responsibility, and the Anglo-Saxon was bound to pay the fines of his children and of his slave. By a natural analogy, it became customary for the English noble to pledge himself for his dependants; and these had a constant tendency to increase. The gesith, or military retainer, had been with him from the first; conquest had assigned him the tenant and the slave; and now, when every man required a pledge to the laws for his good conduct, the landless men, who wanted the condition of freedom, and whose birth was yet not servile, were forced to attach themselves to some lord. Their service was half voluntary, for, if they disliked it, they might change

¹ Ethelred, i; (A. S. Laws, vol. i. p. 281). "That every freeman have

a true borh," and "let every lord have his household in his own borh."

their lord by appeal to the duke;¹ they might even obtain a guarantee from their kinsmen who owned land; but without a patron of some kind they were vagabonds, whom any man might lawfully slay as thieves. Change of service was not easy, for the lord was forbidden to receive any man till he knew that there was no claim on him. Having, therefore, to protect and control a number of dependants, it was natural that the noble should attempt to withdraw them from the operation of the local courts, in which they had no voice. Special jurisdictions were hence created by the side of the townships and tithings, but with the mark-worthy difference that they were not popular, but aristocratic or feudal.² Their appropriate name was the *soke*, and the men subject to them were *soc-men*.³ Their powers were subordinate to the county *gemots*; their functions were mixed; and they have survived to the present day, the shadows of ancient feudality, as *courts-baron* for civil matters, and as *courts-leet* for the original frank-pledge purpose, the ordering of the police, by a view of the tenantry.⁴

The country, then, being thus divided into little police federations or jurisdictions, the next point is to understand how justice was administered in criminal cases. One or two actual cases will explain the method of procedure. During the reign of Ethelred (A. D. 995)

¹ Alfred, 37; A. S. Laws, vol. i. p. 87. It was the duty of the kinsmen to find a lord in the folk-mote for the lordless men. Athelstane, 2; A. S. Laws, vol. i. p. 201. This duty they would be careful to perform, as otherwise they were responsible for part of the were.

² It was seemingly the lord's duty to maintain a recognized police in his domain, "who may lead those men who desire to seek their own." Edward, 7; A. S. Laws, vol. i. p. 163.

³ Cod. Dip., vol. i. p. xlv.

⁴ Blackstone, book iii. c. 4; book iv. c. 19.

three brothers¹ were sitting at a feast in Oxford. Their servant, a man named Leofric, stole a halter; he was suspected, and the property found upon him; the owners proceeded to seize him, and the brothers defended him: but as the members of the frith-guild came up, two of the brothers were slain, while the third and Leofric escaped to the sanctuary of St. Helen's, where they were watched by their pursuers. We do not know what actually became of them; but their sanctuary would only give them a respite of nine days, during which, if they could not escape, they must make terms with their pursuers by paying the were. If they could not pay the were, they would forfeit their freedom,² or, except in Wessex, if the pursuers preferred it, their lives.³ But this case develops a curious feature of early English justice. The sheriff of Buckingham and the town-reeve of Oxford, who had probably come up on hearing of a breach of the peace, allowed the two slain brothers to be buried in holy ground. This was an illegal remission of an important part of the penalty, and the duke of the district accordingly reported the officers to the king, for neglect of duty. Ethelred, however, pardoned them; and, with characteristic weakness, confirmed Æthelwig, the sheriff, in the lands which he had forfeited by this *laches*. In this case, where the thieves were slain in open breach of the peace, there could be no doubt as to the duty of the king's officers. But if any man

¹ Cod. Dip., 1289.

² They might either be made slaves or imprisoned. Ethelred, 7, 16; A. S. Laws, vol. i. p. 333.

³ *Judicia Civ. Lund.*, 1. Ine, 5; A. S. Laws, vol. i. pp. 105, 228. But

under Edward the Confessor the criminal was only obliged to make restitution, and could not be seized, except by the priest or the church servants. *Edw. Conf.*, 8; A. S. Laws, vol. i. p. 445.

were slain *red-hand* unjustly, and in consequence denied Christian sepulture, his kinsmen always had liberty of appeal to a court composed of freemen from the neighbourhood, and presided over by the local authority. Then, if the appeal were sustained, the bishop went forth at the head of a solemn procession, with holy water and incense, to take the dead man out of his grave and transfer him to hallowed earth. The offender in such cases was mulcted in a triple fine, which was paid into the bishop's hands.¹

Cases where the criminal was not taken in the fact, but was only suspected, were more complicated. To understand them, it must be remembered that circumstantial evidence was impossible in early times; the police who could collect it, the advocates who could arrange it, the court that could sift it, were almost as much unknown in the tenth century as our chemical and microscopical tests. Two points were therefore regarded by the Anglo-Saxon courts as mainly decisive: the respective positions of accusers and accused, and their characters in the district. The first was estimated by a graduated scale: athane's word, for instance, was as valuable as the assertion of six ceorls; a duke's evidence might outweigh that of a whole township.² The question of character was decided by the good opinion of the neighbourhood; the accused brought into court

¹ Edw. Conf., 36; A. S. Laws, vol. i. p. 460.

² Oaths, 13; A. S. Laws, vol. i. p. 183. When one Alfneth challenged property belonging to the monastery of Ramsey, the ealdorman interrupted the case by pledging himself for the truth of the monk's statements. The court, in considera-

tion of his high position and character, at once gave verdict for the defendant, and declared all the plaintiff's property forfeit to the king, as the penalty of a vexatious suit. Hist. Ram., Gale, vol. iii. pp. 416, 417. For a similar case in Norman times, see Chron. Mon. de Abingdon, vol. ii. p. 229.

a certain number of compurgators, who swore to their belief in his innocence. The advantage of this system was that, in the case of ordinary men, it entrusted the question of their acquittal to those who would suffer hereafter if they let loose a scoundrel upon their village; its disadvantage was, that a weak or unpopular man might be crushed for want of friends, and a great man escape by the number of his following. Still it will prevent confusion to remember that compurgators were neither witnesses to fact, nor a jury, nor part of the court; indeed, evidence was commonly given by simple affirmation; and the imposition of an oath on the compurgators was certainly not from a disregard to perjury, but because the compurgators were scarcely held to incur any risk of forswearing themselves in declaring their opinion of the man who had selected them as his guarantees.¹

We learn how these principles were applied from a case that occurred under Canute. A wife, by a second marriage, wishing to secure her husband's affections, administered a philtre to him, and afterwards murdered her step-son, and buried him privily.² But trusting that her rank would place her above suspicion, she refused to pay the witch who assisted her the sum covenanted. The witch in her anger went to the bishop and denounced the crime. As the case was one in which canonical laws chiefly had been violated, by the use of witchcraft, and by murder of a child, who was still in

¹ This, however, would be less applicable to cases in which property was concerned. Cod. Dip., 1237. Under the Normans perjury became so common, that it was said no man's possessions would be safe but for the

duel, which was a stronger check than conscience. In civil courts, however, the oath was necessarily as to fact, not as to character.

² Hist. Ram., Gale, vol. iii. pp. 438-441.

his father's power, the bishop cited husband and wife to appear before him. They at first refused to obey, and the bishop did not like to insist, as the husband, Thurkill, was a Dane of high rank. The matter, however, came to the king's ears. Canute first questioned the accused parties himself, and then ordered them to obey the bishop's citation, and clear themselves with compurgators of the crime laid to their charge. The trial took place in public, and in the open air, on account of the multitude who attended; the bishop took care that it should be held in the meadow where the child's body had been concealed: but it is not clear whether he presided in his own right over a special court or acted in his ordinary capacity as joint-president with the sheriff of the county court. To give greater solemnity to the proceedings, a deputation from the neighbouring convent of Ramsey attended with a box of relics. Each of the accused had to bring eleven compurgators, and the woman's were of her own sex. The man, kneeling down, with outstretched hand, first swore to his own innocence, and then proceeded to swear to his wife's, wishing to save her the necessity of an oath. Here the trial was interrupted by a miracle: Thurkill had sworn by his beard, and the beard came off in his hand.¹ All were now convinced of the lady's guilt; but as she still

¹ There is another instance on record of this oath by the beard, where a similar miracle was wrought for the abbey of Evesham, against a countryman who claimed some of its land. Chron. Abbat. de Evesham, pp. 41, 42. The usual oath-formula would have been, "By the Lord, I am guiltless, both in deed and counsel, of the charge of which M. accuses me." And the compurgators

would then swear, "By the lord, the oath is clear and unperjured which N. hath sworn." It seems, however, that sometimes, at least in civil cases, the old Roman form of swearing was used, by which the man, casting away a stone, prayed that he might be cast out of the city and his estate, if he were consciously forswearing himself. Leges Henrici I., v. 29; A. S. Laws, vol. i. p. 511, and note.

asserted her innocence, the bishop ordered the grave of the child, which the witch had pointed out, to be opened; and the murderess confessed her crime, and was ordered the appropriate penance. This would be to abstain from food, as on church fasts, during a term of from four to seven years, according to the circumstances of the homicide.¹ It is important to observe, that, if the miracle had not occurred, the court would have had to decide whether or not the oath of compurgation was sufficient to clear the accused. In this case, where public feeling was violently excited, they would probably have declared it inadequate, and the ordeal by iron would then have been resorted to. Judging from later custom, even those acquitted by the ordeal might still be expelled the district, if they were not free from suspicion; but it may be questioned if this applied to any landowner who had soc of his own. Modern opinion would be scandalized by the oath of compurgation preceding the opening of the grave. Yet in fact, however suspicions might be confirmed by this verification of the witch's story, it could prove nothing more than a murder of which the witch was cognizant; and if the lady's courage had not broken down, her oath ought to have outweighed that of her accuser. It is probable, however, that under the strong excitement of the moment, her compurgators would have refused to swear for her. In this case she might still have claimed the ordeal.²

¹ The term of penance for secret murder was four or seven years; for secret murder by magic, seven years; and for perjury in a church or on relics, four years. In this case, therefore, eleven years' punishment might be inflicted. Ecgb. Conf., 22, 31, 34; A. S. Laws, vol. ii. pp. 149, 157, 159.

² Ethelred, ii. "If he dare not take the oath, let him go to the triple ordeal." The principle here affirmed of cases involving property no doubt applied to those in which life was concerned. A. S. Laws, vol. i. p. 280.

To commute such a crime as murder for a fine and a penance, appears at first sight insufficient. It was the result of two principles, each more or less right in itself. The Anglo-Saxon state professed to deal only with the secular aspects of society; with crime as a moral or religious offence it had nothing to do; it only assessed the losses which crime entailed on individuals or the community, and enforced, or provided for the enforcement of the penalty. To extirpate sin was the duty of the Church, and the State assisted it with all its prestige and powers. Penance practically was compulsory, not optional. But the canons forbade priests to take any part in the shedding of blood, and they had not yet learned to evade this provision by handing back the men they had sentenced to the temporal arm. The punishment of death for freemen was therefore unknown to the Saxon state, except for treason and lese-majesty, or for witchcraft and sacrilege, which followed the same analogy.¹ It is true there were a number of cases in which a man, detected in a crime, or refusing to surrender to the law, or having forfeited its protection, might be slain. But these are regulations of police rather than of justice. Similarly, the notorious thief might be mutilated; but the punishment was probably designed to cripple him in his peculiar activity, and to designate him as a convict. It is doubtful, though the laws speak of prisons, whether during these centuries there was any place in which a criminal could be confined for life.

¹ Alfred, 4, 7: Ethelred, vi. 7; vii. 9, 13: A. S. Laws, vol. i. pp. 63, 67, 317, 331, 333. A spurious charter of Athelstane's, however, (Cod. Dip., 374), speaks of men who "*aperto crimine furti usque ad mortem obnoxii inventi sunt*," and a

spurious charter of Edgar's says that the monks of Glastonbury might release any thief who was being taken out to the gallows. Cod. Dip., 567. These are probably cases of men punished "red-hand."

Generally, it may be said that the tenour of the Anglo-Saxon laws was merciful, or at least not bloody.

The jurisdiction exercised by the Church must not be forgotten. In the case cited above Thurkill was forced to do penance for perjury. Dunstan compelled a nobleman, who had made an uncanonical marriage and brought a pardon from Rome, to do penance before a synod.¹ Adultery was punished by the forfeiture of all the offender's substance, the custom of the country deciding what shares the king and the primate should take respectively.² The Church claimed the dower of the widow who married within a year of her husband's death.³ The forfeitures did not exclude the penances of the Church, which, in the case of adultery, consisted of a seven years' fast.⁴ The man who perjured himself for love or money was to give all his goods to the poor and enter a monastery.⁴ There were penances for the man who stole from need and the man who stole in wantonness; for him who slew at his lord's bidding, or in drunkenness, or in wrath.⁴ The theory of the State was that all offenders should pay the penalty of their crimes "as well with penance to God as with secular correction."⁵ Could the Church have enforced its decrees, could it have compelled abstinence from food, and branded the criminal with infamy, it would certainly

¹ *Anglia Sacra*, vol. ii. p. 215.

² *Cod. Dip.*, 601, 1090, 1295. In some cases, probably of villans, the penalty was slavery. By the custom of Lewes, "*rex habet hominem adulterum, archiepiscopus fœminam.*" *Gale*, vol. iii. p. 762.

³ At Guildford "*quamdam viduam cujus erat domus accepit præpositus villæ et ideo misit episcopus domum*

illam in suo manerio." *Gale*, vol. iii. p. 762. For the law see *Ecgb. Excep.*, 118; *A. S. Laws*, vol. ii. p. 114.

⁴ *Pæn. Ecgb.*, lib. ii. 7, 24; lib. iv. 6; *A. S. Laws*, vol. ii. pp. 185, 193, 205.

⁵ *Ethelred's Laws*, vi. 50; *A. S. Laws*, vol. i. p. 329.

not have been inefficient as a correctional system. Nor is it altogether just to blame the State if, starting from a purely secular view of society, it estimated offences only as matters of loss to itself and the persons aggrieved. The distinction between the judge of fact and the judge of purpose, or thought, was one which at least deserved a trial in jurisprudence. It broke down in Anglo-Saxon times, because the heaviness of the fines inflicted gave them an importance which obscured higher considerations. The privilege of a law-court became the great object of ambition to owners of property, and a rich offender was an estate to be carefully nursed and drained. It is easy to judge the failure after the result, but we cannot blame our fathers very harshly if they failed to solve a problem which has baffled the wisdom of all centuries.

CHAPTER XVII.

ANGLO-SAXON CIVIL LAW.

ROMANO-BRITISH CHARACTER OF THE CITIES. MUNICIPAL ORGANIZATION AND LAWS DERIVED FROM THE ROMANS. TENURES OF LAND AND RIGHTS OF BEQUEST. ACTIONS FOR LAND. SALES OF CHATTELS REGULATED AS PUBLIC CONTRACTS. PROPERTY INSURED BY THE STATE. PRINCIPLE OF MUTUAL INSURANCE IN THE PRIVATE GUILDS. ANGLO-SAXON AND WELSH CONTRASTS.

WHILE the country districts of England received a new organization from their Saxon occupiers, the still numerous towns which had not been stormed and destroyed remained in possession of their old franchises, and only paid a quit-rent to their conquerors. Even where a portion of the Saxons clustered together, instead of spreading over the country, they do not seem to have entered within the old walls; neither the splendour of Roman civilization, nor the neighbourhood of a large Romanic population would have suited them; they settled down under roofs of their own rearing, defended by a few earthworks and a ditch, on some rising ground near the great cities and highways. In the course of one or two centuries, these British and Saxon townships would no doubt everywhere be fused into new cities. Meanwhile the framework of municipal government, the laws affecting property and trade, the customs of local taxation, even regulations for building and burial, continued to bear the impress of their Ro-

man origin. The corrupt language of the provincials, differing in every district, and without a literature of its own, gave way before the more uniform dialect of the dominant race, though several hundred words, in the three or four thousand which exhaust the needs of ordinary life, attest the intermarriages of the conquered people with their conquerors. But laws and habit of thought are longer-lived than speech.

A Roman colonia or municipium had consisted pretty generally of two main classes, the servile, and the free, who might by courtesy be called the self-governing. The free, if they were well-born or prosperous, might become decuriones, or common councilmen of their city, and in this capacity they elected magistrates, the præfectus, duumvir, or duumviri, and their assessors or subordinates, from their own ranks. Under Roman rule the police of the cities was maintained by men set apart for the purpose. This institution was supplanted under the Saxons by the more congenial frank-pledge system, and except perhaps in the case of the kings, who might, like Edwin, maintain a small body of police, the preservation of the peace became the duty of the citizens at large, who were divided into tithings and hundreds at some unknown period. The degraded dignity of the decuriones had come to embrace every member of the tithings; the duties of the inferior magistracy had been chiefly restricted to matters affecting property; and under the new name of *probi homines*, or good men, they were now elected to attest the different acts of bargain and sale. The præfectus, or burgh-gerefa, was rather a royal than a civic officer; representing, no doubt, in the first instance, the intrusive Saxon element, and seeing that the king's dues were collected. But by the analogy of the scir-gerefa, it was

also his place to look after the safety of the walls, and the organization of the militia. Like the mayor of Anglo-Norman times, he was probably elected by the citizens, and confirmed by the king. His term of office in Roman and Norman, and it is likely therefore in Saxon times, was for a year.¹

Naturally, there are few traces in the Anglo-Saxon laws of those peculiar powers which the ædiles and other municipal officers exercised. Some offices no doubt died out; others were transacted noiselessly. A few vestiges remain, however, of the civic polity inherited from the Romans. The duty of repairing walls and bridges was a burden attached to all property, from which it could only be relieved by a decree of the state, whether Roman or English. It is clear that the walls in question were those of cities; and the fact that in Anglo-Saxon charters this obligation is invariably noticed or implied, shows how completely municipal the organization of Britain had been. In the reign of Athelstane a time was fixed in the spring of every year for the performance of this duty. The obligation to bury the dead beyond the city walls existed at least as late as the time of Augustine.² Again, the privilege of local mints, which the different cities enjoyed, if not immediately derived from the Romans, must at least have dated from the short period of British independence.

It is difficult to state positively whether the laws affecting the possession and transfer of property were

¹ The correspondence of the Saxon to the Roman municipal ranks was, I believe, first pointed out by Mr. Wright in a highly suggestive paper on Municipal Privileges. *Archæologia*, vol. xxxii.

² St. Augustine himself was buried out of Canterbury, on the Dover road. Stanley's *Memorials of Canterbury*, p. 24. Bede, H. E., lib. i. c. 33.

derived from Roman tradition, or formed spontaneously during the growth of the English commonwealth. The analogies of the two systems are, however, very great; probably many of them arose from similar circumstances, but were afterwards modelled to a more exact conformity, by men whose culture had been chiefly Latin. What the Saxon conquerors first distributed among themselves was undoubtedly the enclosed and cultivated land. This, almost without exception, was "gafolcunde,"¹ that is to say, charged with heavy dues to the state, such as Roman policy imposed upon every conquered people. The "gafol" consisted, it may be said, of three parts: the "triple obligation," or state dues of road-making, wall-making, and militia; the more local requirements of purveyance and posting; and the rent, often paid in kind, to the state in Roman times, and to the king or owner in Saxon. The first obligation was very seldom remitted, so that charters professing to discharge from it are commonly spurious; and the other dues were therefore what the tenant who asked the witan for a discharge sought to be relieved from. By the aid of money or interest a private act was commonly obtained, which freed the tenant-in-chief. But further, there was a reserve of land, the Latin *ager publicus* and the Saxon *folc-land*, which the state kept

¹ Mention of gafol-cunde land unfrequent in the charters, the object of which is to create boc-land. But a charter of Æthelred of Mercia (A. D. 833) frees some property given to Berkley abbey from all dues (gafol). Cod. Dip., 313. Ceolwulf of Mercia (A. D. 875) frees the church throughout the diocese of Worcester from entertaining the king's horses and grooms. Cod. Dip., 306. Ten

bovates of land "in servitio" are mentioned in a doubtful charter of Wiglaf. Cod. Dip., 883. "Tributarii cassati." Cod. Dip., 464. Gafol-land: Appendix. Cod. Dip., 461. The Domesday of Bedfordshire records a case where, the tenant not paying his "gafol," the sheriff paid up the arrears and seized the land. Domesday, vol. i. f. 217 A.

to supply future wants or reward future services, and which might be leased for a term, but could only be alienated by sanction of the witan.¹ Under Ine, and no doubt under other kings, no one who received a grant of folc-land was allowed to throw it up till he had brought three-fifths of it under cultivation. If the conditions of the grant were fulfilled, and the state had reserved no rights on it beyond the *trinoda necessitas*, it was then the holder's entire property, free land as opposed to bond-land, and he might stock it, lease it out, or sell it, as pleased him best. Land, thus freed from "gafol," or granted away by charter, was known as *boc-land*, or deed-land, and the term generally denotes private property in land not saddled with dues, as distinct from the heavily burdened holdings of the primitive population, and from the folc-land whose usufruct only was enjoyed by the actual tenant. Both the grant and the act of sale, in England as in Rome, were at first by verbal contract and symbols, before witnesses; a staff, a horn, a twig, or a piece of turf represented a property, before written contracts were in use; and often accompanied the written deed afterwards.² By a very natural feeling, while the man who had acquired boc-land by money or favour was free to deal with it as he would by deed or testament, the estate in the next generation was limited by a sort of entail to the family.³ Within his own kindred,

¹ "That land aforessaid King Baldred gave to Christ Church. But because that king was on bad terms with his baronage (*cunctis principibus non placuit*) they would not ratify the gift." Thorne; X Scriptores, c. 2218.

² "Placuit mihi hanc paginam condere et una cum cespite terræ prædictæ tradere tibi." Cod. Dip., 114.

³ Alfred, 41; A. S. Laws, vol. i. p. 89. Land might be tied up to almost any extent, especially if reversion to a monastery was in question. Thus we find land partly given, partly sold, to Eanwolf for himself and three heirs, with reversion to Stretford monastery. Cod. Dip., 314.

on the spear-side, the landowner might bequeath his estates at pleasure, and a certain preference to sons over daughters, and to elder over younger sons, is perceptible in the wills of the great nobles. But his right to dispose of family property was doubtful.¹ It was probably to secure publicity and prevent disputes, as much as for any state guarantee, that the will of a great man was commonly made in the presence of the witan. In fact, a testament by word of mouth was valid, if it were formally made;² and on one occasion, when a son impleaded his mother before the county court, a deputation was despatched to receive her answer, and the angry lady took advantage of their presence to declare a kinswoman her sole legatee of "land and gold, gown and dress." The deputation reported the answer, and a probate of the lady's will was at once enrolled as a judgment of the court.³ In the case of intestacy, the

¹ Under Canute, a Dane tries to recall a hasty sale of land, on the plea that he cannot prejudice his heirs. *Hist. Ram.*, c. 85. *Gale*, vol. iii. p. 442. Osbern says of Odo's father, a Danish nobleman, "*jus hereditatis quod ad illum lege primogenitorum venire debebat, subtrahit.*" *Ang. Sacra*, vol. ii. p. 78.

² A nuncupative will on a death-bed is recorded in the Domesday of Worcestershire. *Consuetudines*, *Gale*, vol. iii. p. 768. Under Henry II, Hamo Blund, of Bury St. Edmund's, made a will by word of mouth, in presence only of his two legatees and a priest. Sampson, abbot of St. Edmund's, and some time justice in Eyre, declared it informal, on the ground that the ecclesiastical superior had not been informed, and forced the heirs to agree to a new

disposition of the property. *Chron. Joc. de Brak*, pp. 67, 68. Here, however, the real objection seems to have been that the transaction had been unduly private. The Council of Cashel, A.D. 1172, decreed that wills were to be made in presence of the confessor and neighbours, and the personalty divided into three parts: one for the children, one for the wife, and one for the burial expenses. *Wilkins' Concilia*, vol. i. p. 473. This, no doubt, represents English usage; and shows that in the twelfth century the power of bequest was singularly limited by custom. Cf. Osbert de Clare, *Epist.* 28. "*Dies abbati fratribusque statuitur ut tertia pars totius peculii pro defuncti remedio dividatur.*" The wife and sons get the rest—one-third each.

³ *Cod. Dip.*, vol. i. p. cix.

practice of different parts probably differed. By the custom of Hereford the property of an intestate escheated to the crown. There was probably a tendency in the upper classes of society to introduce primogeniture, for William the Conqueror's charter to London provides, as for the one special point on which apprehensions may be raised, that the children of an intestate shall inherit equally.¹ In the same way the men of Kent obtained this as a peculiar privilege, and the name of "gavelkind," given to the law of socage descent in this county, seems to indicate that it was of Roman original, and attached to the bond-lands.²

How an action for land was conducted we cannot now determine with any certainty. Judging from later analogy, we should say that, in the absence of public prosecutors, the individual was bound in the first place to take his own remedy, and enter forcibly upon any property that was unjustly withheld from him. If again dispossessed, he would bring the question before the county court, or, if a noble, before the witan, or, if it were church property, before the synod.³ The two

¹ Monumenta Gildhallæ, vol. ii. pp. 25, 26. Gul. Conq., I. 34; A. S. Laws, vol. i. p. 481. As late as Henry I.'s time the eldest son only inherited the fief; boc-land was held to belong to the family, and acquired property might be disposed of at pleasure. Leges Hen. I., lxx. 21; A. S. Laws, vol. i. p. 575.

² Mr. Coote says, "In Anglo-Saxon England we find that real property was as a general rule divisible by law amongst all the children of an intestate." (A neglected fact in English History, p. 57). Mr. Elton says, "The partition of lands in descent between all the sons, and

failing them between the daughters, was the universal law of socage descents in England until comparatively late times." (Tenures of Kent, p. 41). Mr. Elton is here giving Glanville's law (lib. vii. cap. 3. s. 6), and is no doubt right as to the practice in Norman times; but without laying undue stress on the word "children" in William the Conqueror's charter, which the laws render "pueri," I am inclined to think that the preference to males was gradually introduced under the influence of feudal ideas.

³ Cod. Dip., 104, 184, 1237.

parties would then bring forward their compurgators, and the case would probably be referred to a sort of committee or jury, composed of men from the district, who were likely to know the land-marks. A prescription of thirty years' occupancy (*longissimi temporis possessio*)¹ was a bar to any recovery of the estate impleaded. In the procedures there seems to have been a certain looseness; we read of a deputation waiting upon a great lady to receive her answer, and we find the lawgivers trying, probably with as little effect as in later times, to fix a term in which suits should be ended.² It would seem also that the words of the oath might be varied at pleasure. A countryman claiming land from Evesham abbey filled his shoes with earth from his farm that he might swear he was standing on his own land.³ But the limits of land were defined with scrupulous accuracy, and a register of decisions and deeds, which included even mortgages, was kept in the superior courts.⁴

How chattels were bought, sold, and reclaimed, may be gathered from full and authentic notices. There were guilds of merchants and artizans, which congregated in the same quarters of their respective cities, in

¹ Cod. Dip., 184, "triginta annis et eo amplius." This prescription of thirty years for secular, and forty for ecclesiastical property, barred any claim, even though founded upon fraud or violence in the tenant impleaded. It belongs to the times before Justinian. Sandars's Institutes of Justinian, pp. 236, 237. Mr. Long observes that under Constantine, a period of thirty or forty years—for it seems that the time was not quite settled—was to be con-

sidered as sufficient for a prescription. Dict. of Antiquities, p. 789.

² "In the hundred, as in any other gemot, we ordain that folc-right be pronounced in every suit, and that a term be fixed when it shall be fulfilled." Edgar, 7. A. S. Laws, vol. i. p. 261.

³ Chron. Abbot de Evesham, pp. 42-44.

⁴ Kelham's Domesday Book, p. 242, note 1.

its Tanner, Fellmonger, and Flesher Streets, and enjoyed the monopoly of their respective branches of industry. In spite of the English names under which we know them, it is pretty certain that they only continued the old Roman *collegia* of the trades, with perhaps somewhat larger powers for the protection of native industry. To effect this object, and prevent all possibility of fraud, every purchase had to be made in public and before witnesses; the very intention of purchase had to be declared to a man's neighbours, before he went to buy anything at a distance; and if an unexpected purchase were made on a journey, the buyer was bound to legalize it by a declaration to the township on his return.¹ A sort of cordon was drawn around the great cities, at a distance of some three miles, so that no transaction could be legally made between this and the city wall, and business was thus confined to the market, or at least to the street. A foreigner was not allowed to retail his wares. These laws were especially vexatious in the case of butcher's meat, which had to be bought continually, and which every one tried to buy at Christmas-tide. But, by the letter of Anglo-Saxon law, a purchaser who could not prove that he had bought in market-overt, was compelled to give up the article challenged, and could not recover against the vendor. He even had to satisfy the good men (*probi homines*) whom the city appointed to warrant and inspect sales, that he was not himself a suspicious character. In the case of gold or silver plate, which might have been stolen from a church, the salesman who had no witnesses to his original purchase, might be imprisoned on sus-

¹ Edgar, 6, 7; A. S. Laws, vol. i. p. 261.

picion, till he obtained bail.¹ It is probable that the "good men" witnessed debts as well as sales. But the recovery of a disputed debt was transacted in the county court; an acknowledgment once made there ensured a verdict against the debtor; and any attempt to evade payment was punished by forfeiture of as much again as he owed.²

It is curious to observe how Bentham's doctrine, that the state is bound to insure the property of its subjects, was literally applied by the Anglo-Saxons. A man who found his cattle gone was bound to prove, by pointing out the track, that they had been stolen from the place in which he left them, and if, negligently trusting in the frith-guild's vigilance, he had allowed them to stray on the commons, not only without a guard, but without inspection from time to time, he could not recover against the tithing. When the loss was notified, and the track pointed out, the guild was bound to follow up the quest, till they either found the thief, or arrived at the boundary of another guild. In this latter case the hue and cry was passed on; and, in theory, might lead all over England, till the property was recovered, or till compensation was made by the thief or by the guild within whose limits the guilty spoor had stopped.³ Of course it was comparatively easy to track cattle. In the case of smaller animals, and of chattels

¹ Ethelred, iii. 8; Edw. Conf., 38, 39, *Libertas Civitatum*; A. S. Laws, vol. i. pp. 297, 461-464.

² Alfred, 23; A. S. Laws, vol. i. p. 77. Mr. Thorpe understands this to mean that the plaintiff having once declared a debt, was bound to prosecute his claim in open court. The words will, I believe, bear either

sense, but that which I have given them seems most in harmony with Anglo-Saxon custom.

³ *Judicia Civ. Lund.*, viii; A. S. Laws, vol. i. pp. 237-239. It is noteworthy that an estate was sometimes exempted from the duty of following up the hue and cry. *Cod. Dip.*, 260, 300.

that might be carried away, it is natural to presume that the owner would be required to give more positive proof of having lost them. Except in the cases of a few great lords, property of all kinds, whether plate or poultry, would be small in amount; and the fact of former possession would be easily proved.

The punishments for theft were very uncertain, the general principles being, that property might be protected by its owner at any cost; but further, as in murder, that the simple offence might be commuted for a fine. Hence the thief taken with the mainour might be killed, if he were over fifteen, by the injured man;¹ but he might also ransom his life by payment of a fluctuating sum. Latterly, the laws became more severe; and under Edgar a theft supported by perjury was to be punished with death.² A man who would not stand his trial was outlawed.³ He then, in common parlance, wore the wolf's head, and lay at the mercy of any man to be slain with bill or bow. All these penalties were of course independent of the judgment of the Church, which punished theft with fasts and censures, as a sin against God.

But theft and murder were not the only chances against which the Anglo-Saxon insured himself. The chances of fire, the equally onerous expenses of travel, the legal fines in cases of unintentional guilt, the cost of burial, and masses for the dead, were all expenses which came within the scope of a guild. The system was probably developed from a Roman origin; the tendency of the trade colleges to become clubs (*hetæriæ*)

¹ Athelstane, v. 12; A. S. Laws, i. p. 277.
vol. i. pp. 241-243.

² Ethelred, i. 1; A. S. Laws, vol. Edgar, s. 11; A. S. Laws, vol. i. pp. 281-283.

had always been viewed with suspicion by the emperors; and the curious combination of festive meetings with the duty of burying the dead, and with the worship of the gods, meets us in Italy before the Anglo-Saxon name was breathed in Europe.¹ There can be no doubt, however, that the Roman assurance system, as we may call it, coalescing with the Saxon police or frank-pledge system, produced results on an enlarged and important scale. Unions of two slightly different kinds became general. Men of a particular class would join together, like the thanes of Cambridgeshire, for mutual support in the courts of law;² or, like the weavers of London, to maintain the privileges of their craft against interlopers. Sometimes an exchange of good offices would be made; and a guild of priests would give their prayers in return for the secular services of a guild of saddlers.³ But besides all this, the whole community of citizens in a town came gradually to regard itself as a body politic, punishing the unruly, supporting the sick and poor, distributing the chances of life among all the citizens, even collecting the debts of its members, and uniting to perform the offices of religion.⁴ So complete a combination as this was of course late in its development, and rare; but it may be given as the ideal of citizen life toward which Anglo-

¹ Mr. Kenrick, in his *Roman Sepulchral Inscriptions*, has given the rules of a college of the *Cultores Dianæ et Antinoi*, who were also a burial club. Every member presented an amphora of good wine; paid about fifteen shillings entrance-money, and a fee of twopence a month. The club was to meet once a month. A number of rules provided for the maintenance of order and

good fellowship; regulated the expenses at funerals; and the fees of the delegates who attended them.

² Hallam's *Middle Ages*, vol. iii. p. 23.

³ The saddlers of London did this with the canons of St. Martin's. Madox, *Firma Burgi*, chap. i. sec. 9.

⁴ See the statutes of Berwick-upon-Tweed. Wilda's *Gilden-Wesen*, pp. 366-386.

Saxon society was tending. More perfect than the private guilds, it in one instance at least suppressed them, and apportioned their property among the new municipality, with a regard to vested interests. But whether a town consisted of one or of many guilds is unimportant. What is essential is to remember that life and property were not secured to the Anglo-Saxon by the state, but by the loyal union of his free fellow-citizens; that honour and courage were expected from neighbours, as readily as, among ourselves, from the police; and that free co-operation secured the weak from the strong, provided for the destitute or orphan, and mitigated the ruinous losses against which no care can provide. The system may have been, must have been, imperfect in its workings. But the question is not merely one of material results: it is rather of moral education; and I believe the Saxon guilds are unmatched in the history of their times as evidences of self-reliance, of mutual trust, of patient self-restraint, and of orderly love of law among a young people.

It is interesting to contrast the Welsh expedient for enforcing justice, where it was withheld, with the Saxon frank-pledge system. The laws ascribed to Dyvnwal Moelmud¹ legalize, so to speak, the right of insurrection. In minor cases of wrong, a special commissioner is to reverse the decisions of the local magistracy. But where the king or his judges are the offenders, or in any other case "where law cannot be obtained to afford clear and permanent right," the head of the family was entitled to demand justice for his clansmen, and, by bringing into court the oaths of three hundred qualified

¹ Welsh Laws, vol. ii. p. 499. Dr. Guest has, I think, identified Dyvnwal Moelmud as king of Devon in the sixth century. *Archæol. Journal*, 1859, pp. 126-129.

men, could reverse the decision of the supreme courts. We only know that this abstract right existed, and cannot pronounce in what way it was practically applied. But two points in it are remarkable. The strong family feeling of the Kelts displays itself in the substitution of the "chief of kindred" for the hundred or tithing-man. "The session of emergency," as it is called, is characteristic of an impulsive rather than of an orderly race; and recalls the custom of Arcenefeld, by which "if a Welshman kill a Welshman the parents of the slain man gather together, and plunder the murderer's kindred and burn their houses, till the body be laid in the grave, about noon of the next day."¹ The spirit that animated these institutions survives in the "lynch law" of Galway that has been transplanted to America, and still colours the contrast of French progress by revolutionary movements with the slow, constitutional, onward march of English liberty. Clearly, differences of race can be dated back to the earliest historical institutions.

¹ Domesday, vol. i. f. 179.

CHAPTER XVIII.

THE ANGLO-SAXON COMMONWEALTH.

GROWTH, RIGHTS, AND REVENUE OF ROYALTY. FUNCTIONS OF THE WITAN. GROWTH OF FEUDALISM. THE ROMAN AND ANGLO-SAXON FAMILY. GROWTH OF VILLEINAGE. LOCAL TENURES. NATURE OF ANGLO-SAXON LIBERTY. SOCIETY, FOOD, AMUSEMENTS, AND DRESS IN THE ANGLO-SAXON TIMES.

THE importance of royalty was sensibly increased in England by the events of the seventh, eighth, and ninth centuries, and by the fusion of Roman and Saxon ideas. The change in the ceremony of coronation would alone indicate this: the old king had been lifted up on a shield, and carried three times round the ranks of his shouting warriors, while a sacrifice was offered up; the king of later times received a sword as head of the host, a crown as chief judge, a sceptre in token of royalty, and a rod for the chastisement of evil-doers.¹ Once invested, the king's first duty was to ride round the limits of his dominions, confirm the local customs, and receive in return the homage of his new subjects. At twelve years old every male was compelled to take the oath of allegiance, the breach of which, by Alfred's laws, was punished by death. The theory of Anglo-Saxon justice was that every man should endeavour to

¹ Grimm's *Rechts-Alterthümer*, however, *Flor. Wig.*, vol. i. p. 173, pp. 234-237. Silver's *Anglo-Saxon* and elsewhere, "levavere in regem." *Coronation Service*, pp. 6-8. See,

right himself before he applied to the king for redress. But as provinces of different origin, with dissimilar local customs, were united under one sovereignty, applications to the supreme power became more and more frequent; the number of royal commissioners was multiplied; their functions were extended; and writs were introduced to transfer causes from the local courts to their cognizance.¹

The rights, limitations, and feudal relations of English royalty were very complex. All public property was vested in the Anglo-Saxon king; grants of folc-land required his previous sanction; rivers and roads were under his jurisdiction, and offences there committed against the peace were offences against the king; treasure-trove, by a just analogy, belonged to the sovereign.² These rights, to which Roman law has no parallel, are no doubt based on the facts of original conquest. To the chief, as representative of the tribe, accrued all that the individual could not claim. Whether the king was punishable for crimes against the law is doubtful, as we never hear of blood-money being exacted from an English king. Edgar's penance was of course canonical, and though Canute once paid a were-gild, it was for the special offence of having killed a guild-brother. If the sovereign was really irresponsible, the worst precedent of Roman law was paralleled, if not imitated, in his case; and, with even greater stringency, the rights of the English treasury could be barred by no prescription, while four years were sufficient against the impe-

¹ Kemble's *Saxons in England*, vol. ii. chap. ii.

² Grimm's *Rechts-Alterthümer*, pp. 247-250. *Leges Edw. Conf.*, s. 14; *Leges Henrici I^{mi}*, cap. x. A. S.

Laws, vol. i. pp. 448, 518, 519. As the fee of the soil had in theory been derived from the sovereign, treasure-trove belonged to him.

rial fiscus.¹ The king's revenue was derived from several sources. He inherited crown-lands, distinct at once from the folc-land, and from his own private property; his officers received the customs; the Roman abuse of purveyance was retained in England, and gradually extended to the king's officers, to his retinue, and to his posts;² the money of the wiht-gilds went to the king; the estates of those who died intestate and without heirs escheated to him; succession dues might be claimed from the estates of all followers;³ and a custom of voluntary presents from his gesith was gradually reduced to a tax on certain stated occasions.⁴ Of these sources of revenue much of course remained in the hands of the different reeves (gerefan) as their fees. Out of the surplus the king maintained his court, entertained strangers, paid his judicial commissioners, and contributed to public works. The Church, the army, the fleet, the police, the poor-rates, the walls, bridges, and highways of the country, were all local expenses, defrayed by tithes, by personal service, or by contributions among the guilds.

Enough has been said to show that Anglo-Saxon

¹ The "nullum tempus occurrit regi," is, I believe, immemorial in English law. As early as the time of Henry II. it was held that the crown could recover lands unjustly severed from its domain after any lapse of time. *Dial. de Scac.*, lib. ii. c. 10. On the other hand, "bona vacantia," i. e. the goods of persons dying without succession, could be acquired by prescription under Roman law, until they were reported to the fiscus. *Sandars's Institutes of Justinian*, lib. ii. tit. 6. By four years' possession the Roman exchequer was

barred to seize forfeited goods; and if the exchequer sold or gave to a private person, his title upon the mere delivery was unquestionable; but the injured person had his remedy against the exchequer if he sued in time. *Codex*, lib. 7. tit. 37. 1 and 2.

² *Canute's Laws*, s. 70; *A. S. Laws*, vol. i. p. 413.

³ *Canute's Laws*, 71; *A. S. Laws*, vol. i. p. 413.

⁴ *Grimm's Rechts-Alterthümer*, pp. 245, 246. These were finally settled in *Magna Charta*.

kingship differed essentially from modern royalty in any European state. Viewed as proprietorship, it possessed more absolute and vexatious rights than could now be enforced anywhere; but it played a most insignificant part in what we consider the functions of government. These, while the tribe was still composed of only a few warriors, had been exercised by all in common, under royal presidency. As the smaller kingdoms were absorbed, it became inconvenient for the freemen to attend a distant gemot; the lapse of years increasing their numbers, had in many ways diminished their importance; and a muster of all who were strictly privileged would have been in Athelstane's times a multitudinous rabble, incapable of transacting business. The witan came therefore to consist of the ealdormen and prelates of the kingdom, with a few of the leading clergy and thanes, who mustered in greater or less numbers, as the questions to be debated were more or less critical; neither summoned nor elected, but with some undefined imprescriptible right to attend. Whatever privileges had been exercised by their ancestors, the first conquering army, were claimed by the Saxon witan: the rights of making peace or war, and foreign alliances, would naturally belong to those most interested in these questions; it was theirs to sanction grants of folc-land, for folc-land was their reserve of property, kept back from the first division;¹ they guarded the old customs, and enacted laws for new necessities, which were then promulgated in their name and in the king's; in cases concerning its own members, the witan was the great court of appeal; it secured them from abuses of justice, by watching the infliction of fines, and adminis-

¹ Cod. Dip., 1114.

tering the estates of those who died childless and intestate; in cases of great national emergency the witan could impose a general tax. In theory it was more powerful than our own parliament, for peace and war and questions of alliance are now in the hands of the crown, and the judicial functions of the witan have been divided between independent courts and the upper house. But further, the witan, to use our modern phraseology, might resolve itself into a committee on Church matters, which were probably left pretty much to the bishops and abbots. By these synods, questions of Church doctrine and discipline were decided, the mode of raising and distributing the Church revenues was regulated, and matters involving Church property were adjusted "before the saints." They even claimed the right of appointing to vacant sees;¹ of the Pope there was as yet no question, except to decide between two disputants, or to give the pallium as a matter of ceremony; but the king was a dangerous rival, whose chaplain was commonly a successful applicant for preferment. Still, when every allowance has been made for the influence of the king, as the richest and most powerful man in the kingdom, it is clear that the Anglo-Saxon government was not so much royal as aristocratic; and that its aristocracy was elastic. The captain of men, the successful merchant, the scholar, might all rise out of any position but slavery, and in the natural order of things might become by their own worth rulers of the land.²

The tendency of the times everywhere was to feudal-

¹ Bridferth mentions that Dunstan was appointed bishop of London by the witan. *Acta Sanctorum*, Mai. 19.

² Kemble's *Saxons in England*, vol. ii. c. 6.

ism, and England shared it with the continent. The main features of feudalism are service for reward, distinct at once from independence and from the loss of liberty; the interdependence of rank upon rank in a gradually ascending scale; and, by a remote analogy, the extension of the ideas of service and obligation to estates. It is easy to see how feudalism began. The soldier who had received his hide of land at the first partition of territory, and settled down on it as an independent yeoman, found himself in a position of freedom which he had never enjoyed before, but also isolated from the support of his comrades. In a town or its neighbourhood he would naturally become member of a guild, but in the country it would be safer to attach himself to the service of the nearest lord. Even if the first settlers did not do this, their descendants, starving on shares of the divided property, would sooner or later be driven to it.¹ Receiving from their lord the costly defensive armour which they could not purchase for themselves, they were bound in theory to restore the property at their death; and the exaction of these heriots had become a constant source of oppression by the time of Canute. It even seems that when the vassal died intestate, the lord sometimes claimed to succeed to his property, but this was only allowable when he left no widow or family.² Moreover, the right which the Roman emperors asserted to interfere in the marriages of their subjects was probably claimed, though not often

¹ Thus in the *Njal-Saga*, Atli being "a homeless man," and living in a country where the distinction of war-vassal and servant scarcely existed, offers himself as a "house-carl" to Bergthora; but being em-

ployed by her in murder, begs her husband that if he be slain a thrall's price be not paid for him, (vol. i. pp. 112, 118).

² *Laws of Canute*, 70, 73; A. S. *Laws*, vol. i. pp. 413, 414.

exercised, by the Anglo-Saxon kings.¹ Add to all this the territorial jurisdiction of the great lords, and the necessity for every man to find a guarantee for his good conduct, and it will be seen that the essentials of feudalism existed in England long before the Norman conquest. The difference was that it had not as yet been made universal; there was still breathing-space outside it for a few freemen;² the subject had not yet confounded the idea of attachment to his chief with that of reverence for the laws: religion was not yet coloured with the conceptions of lordship and vassalage. Whether society could have developed itself without feudalism is now a mere speculation; if anywhere, it ought to have done so in England. Unhappily, Alfred and all our kings preferred the convenience of dealing with heads of communities to enforcing obedience from their many subjects separately, and, in their desire to organize, they destroyed the personal freedom of the individual.

It may seem the fondest of speculations to connect Anglo-Saxon feudalism with anything Roman. The relation of chief and vassal belongs to a certain stage of society; we know that *gesith* existed in the time of Tacitus; and all the incidents of the connection might perhaps be naturally evolved from the honour and discipline which these relations imply. Yet, remembering that the Germanic conquerors of Europe

¹ Grimm's *Rechts-Alterthümer*, pp. 436-438. He quotes a passage from Lactantius (*De Mortibus Persecutorum*, c. 38), of the Emperor Maximin: "Hunc jam induxerat morem ut nemo uxorem sine permissu ejus duceret." See also Kemble's *Saxons in England*, vol. ii. pp. 96-98.

² This twofold division existed even after Anglo-Saxon times. "*Centuriæ vel hundreta in decanias vel decimas et dominorum plegios distinguuntur.*" *Leges Henrici I^{mi}*, vi. 1; *A. S. Laws*, vol. i. p. 512. But the spirit of the local institutions was changed by the conquest.

occupied provinces the customs of which were borrowed from Roman law, and where the clergy were canonists and notaries, it is difficult not to think that the conception of the Roman family was often applied in our legal practice to what seemed similar ties. Both in Rome and in England the state took as its unit, not the natural clan of blood relations, but an artificial compound, bound together by its head, the man responsible to the state.¹ The English, like the Roman father, was entrusted with the police and justice of his household up to a certain point, and answerable for it to the law. He could not divest himself of that responsibility; but he was repaid for his duties by a power, which only Christianity restrained, over the liberties of wife, children, and slaves; and by certain rights in cases of succession over the properties of his kin on the spear-side (*cognati-agnati*), and of his gesith (*clientes*). The English was the less elaborate of the two systems. I know of nothing answering to the right by which a Roman father, returned from captivity, might annul all contracts which his representative had made.² Again, the position of women was slightly different: the Anglo-Saxon woman, not bringing a dowry, but receiving a dower and a "morgen-gyfe,"³ the husband, who had bought her, as it were, might recover against the kin if she incurred a fine at law. But, on the other hand, the Englishman gained in the devotion and discipline of his gesith: they fought for him in battle, and swore for him in the courts of law, with a hearty allegiance transcending all bonds of clientship.

But besides the military tenants, thanes, or gesith,

¹ For a fuller statement of this principle, see Maine's *Ancient Law*, pp. 183, 184.

² *Institutes*, lib. i. tit. 12.

³ The "morgen-gyfe" was a gift the morning after marriage.

there were many semi-servile classes of men who owed duty to a lord, or who lived upon land that owed duty. From the circumstances of the Anglo-Saxon settlement, it is probable that the freemen upon bond-land were in the first instance Britons who retained their holdings on condition of paying tribute. In later times this rent would gradually have been compounded for by some one large payment. In an early state of society, where the rent was due in kind or in labour, and where the disorders of the times did not encourage economy, a composition would be almost impossible. A notion of obligation attached to the rent which a conquest had imposed: and the peasant, even if he were free to quit the soil, had little chance of bettering himself, as the market for labour was small, as the difficulty of changing to another lord was great, and, on the whole, it was preferable to be tenant of a holding rather than swine-herd or bee-herd. As, therefore, the tenants, cotsetlas, geburs, and geneats, were the highest among the semi-servile; the herds or swains, and esnés or day-labourers, were the lowest.¹ For all there was the same law of life arising from the necessity to the landlord of keeping labourers on his land, that no woman might marry off the property without her lord's license, and that if a serf on one estate married a serf from another, the children were divided between the two owners.² With all, the fine which avenged violated honour or injury to life and limb, went not to the sufferer or family, but to the lord.³ Lowest of all were the slaves, theows, or thralls, who lay terribly at their master's

¹ Rectitudines Singularum Personarum; A. S. Laws, vol. i. pp. 432-442, where geneat is translated villanus; and esné, inops. Grimm renders esné by mercenarius. Rechts-

Alterthümer, p. 304.

² Glanville, lib. v. c. 6. Hale's Domesday of St. Paul, p. cxxv.

³ Æthelbirht, 82-86; A. S. Laws, vol. i. p. 25.

mercy, and for whom the law was pitiless. They were often sold among the heathen, in despite of law.¹ The devout Gytha, earl Godwin's wife, is said to have shipped whole gangs, especially of young and pretty women, for sale in the Danish market. In the last days of the monarchy, they were bred for the slave-dealer.² Sometimes with the taint of capture or crime upon them, sometimes foreigners from a far land, even Moors, they rather excited aversion than pity. But the duty of setting them free was preached by the better men in the Church, and felt by the nobler-minded among the owners; it was no unusual thing to make the offering of a manumission at a shrine, or to give freedom in a will.³

While these were the general distinctions of rank in England, there were differences peculiar to certain parts. Radknights, or freemen owing commutable service, and hospites, or military settlers, appear in the Welsh marches, where it was an object to encourage the growth of a free and warlike population. Drengs or thrings, owing special service to ride as couriers or to keep horses or dogs, were settled on certain estates.⁴ For a different reason, Lincolnshire, Norfolk, Suffolk, and Nottinghamshire, were peopled, thanks to the Danish invasions, by the largest number of freemen, and by the highest class of tenants (soc-men), who owed suit to their lord's court, and were probably bound to garrison his castle, and pray for him, but could transfer, not only their service, but that of their land, to another lord at

¹ Laws against this traffic were enacted three times under Ethelred; once under Canute, and once under William the Conqueror.

² At Lewes the burh-gerefa received a toll of fourpence on every man bought and sold. Domesday, vol. i. f. 26.

³ Cod. Dip., iv. pp. 308-317; vi. pp. 209-212. Canute's Laws, ii 3; A. S. Laws, vol. i. p. 377. Malmesbury, lib. iii. p. 245. Vita S. Wilelmi, Ang. Sac., vol. ii. p. 258.

⁴ Morgan's England under the Normans, chap. v.

pleasure. The strictly Saxon counties were those in which there were most slaves, where the tenants were in the worst position, and where the rights of the feudal lord were most rigidly exacted.¹ This is partly explained by the fact that the court resided chiefly in the south, by the more unbroken settlement of the Saxon provinces, and by their neighbourhood to the continent. The distinction is of great importance, for it explains the higher organization by which the Saxon kingdom triumphed over the rest of England, the repugnance of the Anglian districts to Saxon government, and the early rottenness and dissolution of a monarchy that had arrived too quickly at maturity.

✓Not only were slaves increasing, but freemen were disappearing. The *ceorl* is never mentioned in our laws after Edward the elder's time. If he became the villan of a later period, he was already semi-servile before the Norman conquest.² If he passed into the freeman, sometimes holding in his own right, and sometimes under a lord's protection, the class did not number five per cent. of the population at the time when Domesday was compiled, was virtually confined to Norfolk and Suffolk, and had not even a representative in the counties south of the Thames. It is evident that the bulk of the Saxon people was in no proper sense and at no time free. Even the free in name

¹ Devonshire, Dorsetshire, Essex, Gloucestershire, Hampshire, Somersetshire, and Wiltshire with a population of 56,589, contained 13,698 slaves out of 25,156 in all England. There were 998 in Norfolk, 909 in Suffolk, and none in Lincolnshire or Yorkshire, to a collective population of 80,938.

² Mr. Thorpe renders *villanus* by *ceorl* (*A. S. Laws*, vol. i. index), but I know not on what authority. I suspect the name was practically disused before the times of the Conquest, and that the descendants of the original *ceorlas* were to be found in every rank of life except the highest.

were virtually bound down to the soil with the possession of which their rights were connected, and from which their subsistence was derived. They possessed the great advantage of being tried by local courts; but even this, in all the more important cases, was neutralized by the power of the reeves, who, by the prestige of a royal commission and a strong following, could direct or overrule the decision of almost any meeting. In fact, the spirit-stirring language of the Beverley charter—¹

"So much freedom give I thee
As heart may wish or eye may see"—

must be qualified by the consideration that freedom was only another word for privilege. The rights to enjoy old customs, to trade without a tax, to administer jurisdiction within a certain district, to enforce the laws of the trade monopolies, were the liberties for which our ancestors struggled.² The peculiar settlement of the country, its Saxon police, its Romano-British municipalities, and the need for every man to defend himself in default of any central power that cared for him, all favoured the growth of a vigorous people, doing battle resolutely for what they desired or claimed. But the idea, that any man might go where he would, live as he liked, think or express his thoughts freely, would have been repugnant to the whole tenour of a constitution

¹ Cod. Dip., 359. The charter is no doubt spurious, but it expresses the rights of society before the conquest, and the feelings of society shortly after.

² The citizens of London enjoyed the privilege of trading in every market without toll or custom. *Carta Lib. Lund.*, A. S. Laws, vol.

i. p. 503. This was disputed by abbot Sampson, of St. Edmund's, under Henry II, but the merchants stood sturdily by their rights. *Chron. Joc. de Brak*, pp. 45, 46. The privilege of a gallows was sometimes enjoyed by a town, as by Halifax, but the date of this is probably more recent.

which started from the Old Testament as a model, preserved or incorporated the traditions of Roman law, and regarded the regulation of life as the duty of the legislator. As little can modern notions of equality be transferred to a society which expressed by a tariff its sense of the enormous difference between a nobleman, a freeman, and a tenant. The right of taxing themselves was certainly not possessed by a people who paid dues of immemorial antiquity, which they could not shake off; and the taxes imposed by the witan, the hearth-penny, Church-scot, and Dane-geld, were in the last degree unpopular. The control of public policy belonged to the aristocratic witan. But if the different classes of society were not equal, they were separated as ranks, not as castes. Thanks to the many different races, and the gallant rally which each had made for its liberty, the conception of nobility was based in England on real distinctions, on character, or property, or position, self-derived or inherited, and not on the one uncertain test of blood. No doubt extraction was always taken into account, but the Anglo-Saxon minimized the risks which attend a nobility of birth by associating it with certain requisites, without which birth was valueless, while the possession of them conveyed a patent of nobility. The graduated tariff of land, by which a man rose in the social scale,¹ was a pretty sure test, in rude times, that

¹ Ranks: A. S. Laws, vol. i. pp. 191-193. A curious story illustrates this law. A certain Gudmund was attached to a noble Saxon lady, who refused to marry him, on the ground that he had not forty hides of land, and was therefore not of ealdorman rank (*numero procerum*). Gudmund persuaded his brother Ulfric to endow him fraudulently with the proper quantity of land out of the

domains of Ely monastery, where Ulfric was abbot. Hist. Mon. Eliensis, Gale, vol. i. pp. 513; 514. This story has been disputed, but Mr. Thorpe points out a curious confirmation of it. The earl's or ealdorman's heriot in Canute's laws, is to the thanes as eight to one. Now if five hides constituted a thane, for which we have certain warrant,

the new gentleman was one who could hold his own. Moreover, commerce and manufactures, the great sources of wealth and position among ourselves, were then in their infancy, and the men who rose from the ranks had commonly served their country in the camp or in the Church.

It is difficult to paint the home life of England in these old Anglo-Saxon centuries. The reproach of the fifteenth century and our own, that no people are better fed or worse housed, was probably true then.¹ The noble lived in a hall intended, not for defence, but for hospitality, with a chapel attached, and out-buildings for his followers.² Hunting and hawking, in woods carefully preserved, occupied the days of peace: Asser relates with wonder that Alfred let his sons learn reading before they were taught hunting and such like "human arts;" and although the grim statesmen of that reign, who groaned in their old age over the alphabet which their master constrained them to study, were probably the last specimens of complete ignorance in the highest places, there is no reason to suppose that book learning ever flourished much among the Anglo-Saxons. Songs and legends were their literature; the laws of their country their philosophy; attendance at mass and at the different gemots made up the whole duty of their civic lives. The worst consequence of this speculative inactivity, to a people naturally coarse and gross, was that they sunk into evil from the mere want of employment; and the vices of the table

forty would presumably be the ap-
panage of an ealdorman.

¹ Compare Wright, *Pol. Songs*,
vol. ii. p. 77. *Italian Relation of*
England, pp. 21, 42, 112.

² See a woodcut of an Anglo-
Saxon manor-hall, with its owner
giving alms at the door, in the *Pic-
torial Hist of Eng.*, vol. i. p. 317.

prevailed in forms too disgusting to be described.¹ That the poor lived plentifully in good years is probable; the land was rich, and the food simple,² barley or oaten-bread, beer, and pork being the common fare; but England no longer exported corn, and famines were frequent and terrible. There were large herring-fisheries along the east and south coast, and Eaton in Cheshire paid a rent of a thousand salmon to its Norman earl.³ The vineyards which the Romans had planted survived Saxon and Dane; Gloucestershire was famous for them, and Smithfield was once ruddy with grapes.⁴ But gardens were of slow growth, and comparatively few fruits and vegetables had been naturalized. The trade in wool, the only article which was certainly exported to the continent, enhanced the value of sheep, but cattle and horses were probably more prized in themselves,⁵ and were certainly more costly in propor-

¹ One instance will probably suffice the most curious: "Si quis ex ebrietate vel ex satietate eucharistiam evomuerit xl dies jejundet." Ecgbert, lib. iv. 45; A. S. Laws, vol. ii. p. 219.

² September was called barley-month. Strutt's Horda, vol. i. p. 21. Compare Lappenberg, Eng. Geschichte, Band i. s. 618.

³ Ellis's Introduction to Domesday, vol. i. pp. 141, 142.

⁴ Vopiscus says that the emperor Probus permitted the Britons to have vineyards and make wine. M. B., lxvi. "Vinæ quibusdam in locis germinant." Bede, H. E., lib. i. cap. i. "Vinæ fertilis est sed raro." Huntingdon, lib. i., M. B., p. 693. Malmesbury speaks of the vale of Gloucester as planted thicker with vines than any other part, and pro-

ducing a wine little inferior to those of France. Gest. Pontif., lib. iv.; Savile, p. 161. A vineyard at Smithfield is mentioned in a document of Stephen's time. Rymer's Fœdera, New Ed., vol. i. p. 17. It was probably still more ancient, as the Domesday of London passes from the mention of Holborn to a vineyard. Domesday, f. 127, A. There are thirty-eight entries of vineyards in Domesday book. Ellis's Introduction to Domesday, vol. i. p. 116.

⁵ Only 250 horses were returned to the Domesday surveys from the whole of Suffolk. Herds of wild mares seem, however, to have been more common. Munford's Domesday of Norfolk, pp. 68, 69. The fleece is valued separately at twopence. Ine 69; A. S. Laws, vol. i.

tion, perhaps because they were more difficult to rear. With large tracts of moor and morass, and with uniform forests of one or two varieties of tree, the country in Anglo-Saxon times was less beautiful than it has since become under cultivation; and the system of fallows, while it covered a large portion with patches, interposed a wide interval between different homesteads. Adders and other reptiles swarmed in the woods, wolves and thieves lurked in the covert, and the traveller went armed on his journey. Yet from some points the aspects of life were more cheerful and picturesque than they are now. The portion of daily labour exacted from the working man was as much as human toil could accomplish;¹ but the working days were fewer, less was done in the winter months, and saint-days and Sundays were mercifully interspersed in the seasons of fair weather. Games of every sort were the lawful amusements of idle hours and of festivals; we have lost infinitely more from the Saxon book of sports than we have added to

p. 147. In the ordinances of the *Dunsetas*, a horse is valued at 150 pence; a mare at 100 pence; an ox at 150 pence; a cow at 120 pence; a swine at eight pence; a sheep at five pence; and a goat at twopence. The pound was 5400 grains in weight, and as it contained 240 pence, while the present pound of 5760 grains represents 720 (though it coins into 792), we must multiply by $2\frac{1}{3}$ to represent the modern equivalent in metal, and further by at least seven times that to represent the greater exchangeable value of coin in Anglo-Saxon times.

¹ Take the case of the *geneat*. "He must in some lands pay rent and pannage, and ride, or cart, or

supply horses, labour and farm for his lord, mow and reap, park and keep it up, build and fence, and pay church-scot and alms, do heed-ward and horse-ward, go post far and near, as he is told." *Rect. Sing. Pers.*; *A. S. Laws.*, vol. i. p. 431. Yet the *geneat* was comparatively free. The Saxon acre probably represented a man's daily labour; it is commonly taken as one fifth larger than the Norman; and would be considered a very hard day's work for an able-bodied man at present. Mr. Kemble, who quotes *Ælfric* to prove that an acre was the day's work, thinks on this account that it could not be larger than the statute acre. Saxons in England, vol. i. pp. 96, 97.

it. It is melancholy to know that in the eighth century a labouring man was disgraced among his fellows if he could not sing to the harp, and to consider that one of the noblest arts has died out in the class that most need to be refined. In another respect, the love of dress, we have less to fear from a comparison; though whether our taste is improved may perhaps be questionable. The Saxons seem to have adopted the Roman tunic, which reached to the knees, and to have completed it by long sleeves for the arms. A cloak over it was added for out of doors. The Anglo-Saxon lady wore a hood with long pendants, and a loose dress reaching to the ground. Wool and flax, with silk for the lappets and the eyelet holes, were the common materials;¹ which the wearer herself would sometimes embroider. Bracelets and rings were favourite ornaments; and both sexes delighted in bright colours. Unfortunately, they extended this to the use of pigments for the complexion; and rouge was as much a part of the furniture of a Saxon lady's toilette-table as the crisping-irons.² The abuse of coloured dresses even invaded the sanctuary and the cloister; Charlemagne was scandalized at the laxity of English discipline, and Alcuin and Aldhelm inveighed with apostolic vehemence against the guilty fashion. But history tells us that it was not stemmed by the joint authority of two saints and an emperor;³ and the English monks in the times of the Norman conquest were still sinners in gay dress against the rigid rules of their order.⁴ Unluckily, our ancestors were

¹ Aldhelm de Laud. Virgin., s. 58.

² Adhelm de Laud. Virgin., s. 17.

"Ista . . . rubro coloris stibio genas fucare satagit." I suspect this is what Malmesbury has confounded with

tattooing. Lib. iii. p. 419.

³ Alcuin, Epist. 14, 15, 75, 78; Aldhelm de Laud. Virgin., s. 15; Malmesbury, lib. i. pp. 115, 116.

⁴ Malmesbury, lib. iii. p. 418. The

fonder of dress than of cleanliness: the warm bath indeed was a luxury, but the cold bath was a penance of the Church; and the Danes are accused of having won the affections of English ladies by combing their hair, by bathing once a week, by frequent changes of clothing, and "such like frivolities."¹ Yet as an ivory comb and tweezers or scissors were among the treasures buried with St. Cuthbert² we may hope that Englishmen of rank were as frivolous in these matters as the Danes.

council of Chalcut, A. D. 785, forbade the canons to use "*tinctis Indis coloribus aut veste preciosâ.*" Wilkins, vol. i. p. 147. Compare p. 508. Ælfric warns his clergy that none of them be "too showy in his garments, nor adorned with gold." Pastoral, s. 49; A. S. Laws, vol. ii. p. 387.

¹ Canons under Edgar, 11, 16; A. S. Laws, vol. ii. pp. 281-285. Wallingford, Gale, vol. iii. p. 547. Skarphedinn . . . was so clad.

He had on a blue kirtle and gray breeks and black shoes on his feet, coming high up his leg; he had a silver belt about him, and that same axe in his hand with which he slew Thrain, and which he called the "ogress of war," a round buckler, and a silken band round his brow, and his hair was brushed back behind his ears. Dasent's *Njal Saga*, vol. ii. p. 140.

² Hardy, *Catalogue of British History*, vol. i. part 1. p. 304.

CHAPTER XIX.

ANGLO-SAXON LITERATURE.

NATURE AND PREVALENCE OF EARLY POETRY. CÆDMON'S LIFE AND POEMS. CÆDMON AND MILTON. THE DESCENT INTO HELL. BEDE'S LIFE AND WORKS. BEDE'S THEORY OF THE KOSMOS. ALCUIN'S LIFE AND SCIENTIFIC TEACHING. SPURIOUS WORKS ASCRIBED TO GREAT WRITERS. DECLINE OF LEARNING IN THE NINTH AND TENTH CENTURIES. LIBRARIES AND LETTERS.

THE first form of literature has always been poetical. In times when nothing could be written down, it was of the last importance to assist memory by artificial forms: by the antithesis of thoughts, as in Hebrew literature; or of cadences, as in Greek or Latin; or of initial or final sounds, alliterations and rhymes, as in Anglo-Saxon and Welsh.¹ Moreover, the habits of the mind and the influences of language promoted the use of imagery in description. The savage transfers the facts of his own nature, will, and emotion, to the order of the visible world; personifies the sun as a woman, or attributes hidden influences to the stars; and his language, imperfectly furnished with adjectives, is tessellated with pictures and symbols to colour what he relates: a flight of spears is described as a swarm of bees; a swift ship with its sculptured prow as a horse. The metre employed by the Anglo-Saxon bards has never

¹ Zeuss, *Gramm. Celt.*, vol. ii. cap. vi. 2.

been reduced to rule; it was probably trochaic, the accent in each word being thrown back, as in modern German, on the first syllable. But the rude minstrels who sang to crowds on bridges,¹ or who visited halls, were no doubt a little careless of verbal music: provided the speaker's attention were riveted by a due succession of alliterations, the great requisites of the art had been complied with; rhymes are rare, and appear to have been found difficult. The facts that verse was the natural expression of Anglo-Saxon thought, that every village had its rhapsodist, and that to be able to improvise was the necessary accomplishment of a gentleman, explain why the many pieces that still remain to us are of most unequal merit. The epical fragments of some nameless Homers, pagan mythes and gospel story, songs of war and records of national victory, have floated down to us on the stream of time with dark riddles, with moralities, with metrical legends, and narratives as flat as the dullest prose. For anything like modern sentiment we must not look. The fierce passions of war, the hardships of travel, the bitterness of captivity or exile, are in turns the subject of lyrical poems. But the morbid self-consciousness of an over-wrought society, the idealism of the twelfth century, or the chivalrous passion of the thirteenth, were foreign to Anglo-Saxon experience. The common woes and thoughts of life occupied the scald; his belief in the invisible world was founded on tradition, not on speculation; he understood money and marriage, but not love. This absence of

¹ Aldhelm, finding that his congregation used to go home after mass without waiting for the sermon, stationed himself on a bridge which they were forced to pass, attracted

them by his recitative as a minstrel, and then insensibly diverged into a sermon. Vita Aldhel., Ang. Sac., vol. ii. p. 4.

passion and tenderness is common to all the early and undoubted Welsh poems. But love, sometimes under rather grotesque forms, sometimes exalted and deep, is the constant subject of Norse sagas; the impulsive searovers threw the vigour of their adventurous life into all that concerned women.

Our extant English literature opens grandly with the works of Cædmon, in the seventh century. The poet was a Northumbrian herd in the service of the convent of Whitby; but having from some accident never been trained in the songs of his countrymen, he used to find himself at fault when the harp went round in the beer-club, and would rise in confusion and leave the hall. One night, when he had thus stolen off from his fellows' company to bed, an angel appeared to him in his dreams, and bade him sing the origin of things. Cædmon rose the next morning a poet; he announced his inspiration to the town-reeve; and, having satisfied the abbess and her counsellors of the reality of his gift, he was received as a brother into the monastery. He continued there till his death in A. D. 680.¹

Cædmon must be judged by the measure of his times. Confining himself to sacred subjects, which he could not reverently tamper with, he is rather a paraphrast than an original poet. But the traditions of the Church, and the Apocryphal writings of Greek Christendom, furnished him with materials as well as the canonical Scriptures. He is thus able to treat his subject with greater fulness; and displays very high poetical genius, in weaving one grand story out of scattered fragments. But his style not unfrequently is meagre and flat; his epithets have the Homeric vagueness of idea, and pre-

¹ Bede, H. E., lib. iv. c. 24.

cision of application, which belong to an early literature;¹ the reflections are often common-place. Cædmon starts from the conception of God the Father, enthroned amid the hierarchy of angels, who stand with praise and love around the eternal infant Son, or carry him in their bosoms. But Satan, the most glorious of the arch-angels, is filled with jealous pride: he believes himself the All-Holy and All-Powerful; he sets up his own son as Lord of the unborn race of man; and proclaims revolt against "the Lord strong and stern of mood," on a day when all the other saints are worshipping; he is cast out of heaven with his followers, to abide in the abysses of mid-earth till the day of final doom. Though conquered, he is unsubdued; he calls a council of his followers, in the gloomy halls of hell, iron-grated, fathomless; he warns them that God is about to people heaven again with pure souls from the new created race. If any follower of Satan has received princely gifts from his chief while he sate in power, let him now give proof of his loyalty, pass cloud-like through the iron gates, and destroy the fabric of the new world by persuading its inhabitants to sin. One of them issues forth, and coils like a winged dragon, perhaps with a cherub's head, round the tree of life; he declares to Adam and Eve that he is sent from God to bid them eat of the fruit which was once forbidden them. Adam refuses, suspecting treachery; but Eve is curious and afraid to disobey an angel; she takes and eats, and her eyes are instantly opened; she sees God on His throne, and the winged hosts that surround Him; she hears the stars shouting for joy. Adam is deceived, and takes "the

¹ "The windy hall," "the swart fiend;" like the *νεφεληγερέας Ζεύς*, and *θάλασσα ἡχήμεσα* of the *Iliad*.

unholy fruit, hell and death," into his mouth: and "the bitterest of messengers" departs with vindictive triumph, to cheer Satan "in the swart hell bound with the clasping of rings."¹

The Miltonic character of this description is evident. The devils are not yet the mere monsters of the middle ages and of Dante; they are pale ghosts whose beauty is transformed, but who still retain the traces of faded majesty, and go out armed and helmed into the world. The kingdoms of light and darkness are conceived under the same analogies; the hierarchies in both are established in orderly gradations of rank; there are even traces of a trinity of evil.² Again, although the position of hell is defined, its limits are still indeterminate; it is an abyss, with walls and portals, and even with floors, but, though narrow, infinitely deep; three days and nights were the angels falling into it from heaven. The council of the devils together, the circumstances of the embassy, of the temptation, and of the fall, resemble *Paradise Lost*. The style of Milton is no doubt unapproachable; but the mere story, as told by Cædmon, has been less hampered by theological difficulties, and is freer and grander than the Puritan poem.

Another part of Cædmon's poem deserves attention for the wide influence the conception exercised, in its many versions, on the Christian thought of the middle ages. It is the story of the descent into hell, and is

¹ I have compiled Cædmon's kosmogony out of two passages, his paraphrase of Genesis, pp. 16-50, and the introduction to the descent into hell, pp. 265-280, of Mr. Thorpe's edition. I have followed Mr. Thorpe's translation.

² I infer this from the lines, "Thou saidest us for sooth, that thy son was lord of mankind," (Cædmon, p. 268), and from the fact that the devil who tempts Eve is distinguished from Satan (p. 47), and yet important enough to be cursed.

drawn from the apocryphal description appended to the gospel of Nicodemus. Cædmon, however, improves very much upon his original, which he probably only knew in some abstract. In the Anglo-Saxon poem, which is unfortunately mutilated, our Lord after death summons a host of angels, and descends to rescue the souls of the just who were in captivity for Adam's sin. "Then came the sound of angels, thunder at dawn," as the King of glory appears before the everlasting portals, and breaks them down that he may enter in and deliver. The devils fight hopelessly, for they know that from this day their punishment will be sterner than before; they will be "thrust further into that deep darkness closely curved where now Satan gloomily prays." At last they are panic-struck, and moan "through the windy hall," ceasing from the war. Then Adam implores Christ for mercy, and confesses the sin for which the world was lost. The father and mother of mankind are pardoned, and the long line of prophets and patriarchs sweep upwards after their Lord into glory.¹

Passing over Aldhelm, a florid divine and a writer of Latin riddles in the style of Symposius, the next great name to Cædmon's is that of Bede. Bede's life of about sixty years (A. D. 674-735), was divided between the two monasteries of Jarrow and Wearmouth, in Northumbria,² which had been endowed with large estates, and in which an extensive library had been formed by their founder, St. Bennet, in his visits to Italy. When the countless forgeries fathered upon him have been abstracted from the list of Bede's works, he remains the

¹ Cædmon, pp. 287-296.

² Stevenson's introduction to Bede's Hist. Eccles. Mr. Stevenson has

shown that the common story of Bede's visit to Rome is without foundation.

author of from forty to fifty treatises. Of these twenty-five are on the Bible or Biblical subjects; seven on subjects of ecclesiastical history; six on grammar and science, while the rest are made up of epistles, epigrams, and hymns.¹ Original thought must not be looked for in a man who was pre-eminently a teacher, not a thinker, and whose dying breath was spent between the intervals of prayer in dictating an educational work, "lest his pupils should read a lie, and so work to no purpose after his death." But if Bede, like Cædmon, wanted the creative faculty, he had high powers of arrangement and exposition. He continues the tradition of Roman learning, even adding to it by fresh knowledge, or correcting it by his vigorous sense;² his style is nervous and good, with scarcely any admixture of barbarisms; and his patience and love of truth leading him to collect knowledge from all quarters, have made his Ecclesiastical History of inestimable value. His defects are of two kinds, and both are due to the circumstances of his time. Never travelling, and deriving his knowledge from ecclesiastics, the Italian followers of the primates Hadrian and Theodore,³ Bede is altogether wanting in critical power. He could see and avoid what was inconsistent in two different narratives, but he could not distinguish true from false where both had been moulded together into some new form, so that in the region of the

¹ Bede has left a list of his works at the end of the Ecclesiastical History. Mr. Wright has added several on probable grounds. *Biog. Ang. Sax.*, pp. 273, 274.

² "His work displays an advance, not a retrogradation, of human knowledge." Turner's *Anglo-Saxons*, vol. iii. p. 403; quoted by Giles, *Bede*, *Op. Sc.*, p. iv.

³ Introduction to Bede's *H. E.*, p. ix. It is not certain whether Bede was actually under these men, but it is highly probable, as they came into the north, as he mentions them with high praise, and as the teaching they gave in metres, astronomy, and the calculation of Easter, was very much what his own works reproduce. *H. E.*, lib. iv. c. 2.

supernatural, he is as credulous as the meanest of his contemporaries. Again, Greek and Latin thought had only produced satisfactory results in ethics and metaphysics; but while the pagan were supplanted by the Christian ethics, the philosophy of Plato had been discarded as a dangerous study, and would have been unintelligible, unless diluted through the medium of a fether. Nor were the classical authors considered altogether safe reading for the orthodox. Orosius observes that the Christians of his own time were accused of destroying the treasures of the Alexandrian libraries, and adds that the charge was true.¹ The same feeling lasted down, modified but strong, to a late century. If we can conceive England suddenly deprived of its upper classes, all interest in inductive philosophy abandoned, the study of Darwin and Mill proscribed as dangerous, education completely in the hands of a half-educated clergy, and literature reduced to a few standard poets, and the text-books of training schools, it will give some idea of the actual state of the country in the eighth century. Bede was not a man to create philosophy anew: having before him abundant stores of knowledge, as he esteemed them, he did not care to speculate; the Bible was an inexhaustible study; grammar, which in those days seemed half-divine, the knowledge of "the word," attracted and occupied him, and in chronology he became so great an authority that portions of his work were still in repute in the sixteenth century.²

But Bede's theory of the kosmos is too important to be lightly passed over, for it influenced English thought

¹ Hist., lib. vi. c. 15.

² Rabelais, lib. ii. cc. 18-20. The treatise attacked under the name *De Numeris et Signis*, was probably a

separate edition of the first four chapters of Bede's book *De Temporum Ratione*.

through the whole of the middle ages. Its main sources are the Bible and Ptolemy. The earth is conceived as a self-poised sphere, with an undulating surface around which the ocean flows. Above the earth is the firmament, equi-distant everywhere from the centre of earth, and revolving around it in a rapid course, only moderated by the planets and the sun. Man, therefore, has been placed upon the one fixed spot in the universe. Above the firmament is the higher heaven, one sheet of fire, which God has parted by a veil of ice from the firmament, lest all nature should be consumed. The angels live in the burning glory, above, but are able to descend at times and take men's nature upon them. Between the firmament and the earth is the air peopled by the souls who expect judgment. In the centre of earth is the pit of hell.¹ All things consist of the union of the four elements, which blend in virtue of their sympathetic qualities, the cold earth having an elective affinity for the cold water; while their antagonistic qualities are always carrying them apart, the hot fire rising upwards, the heavy earth sinking upon itself. In this balance of opposition and affinity consists the order of nature; and in the excess of any quality are disorder and death; pestilence, for instance, is derived either from excess of heat, the burning breath of the wind, or from excess of moisture corrupting the other elements. The symmetry of this theory of the universe is remarkable; it is complete in every part; and clearly only a step is wanting to elicit the doctrine of an original

¹ Thus, in the vision of Drythelm, hell is "*vallis multæ profunditatis . . . barathrum . . . abyssus.*" Bede, H. E., lib. v. c. 12. So in an old fragment from the Metrical Lives of

the Saints, "the right pit of hell is amid the earth within." Wright's Popular Treatises on Science, p. 132.

matter from whose unity the four elements have been developed.¹

The mantle of Bede fell upon Alcuin, who was born, in A. D. 735, at York, of a noble family, and became in course of time the master of the school where he had been trained. His chief celebrity, however, is derived from his connection with Charlemagne, whom he met in Parma, having been sent on a mission to Italy, and by whom he was persuaded to settle in France. The last twenty-two years of Alcuin's life (A. D. 782-804) were accordingly passed at the imperial court, in the enjoyment of his patron's highest favour, and richly endowed.² His duties were to organize education in the national schools, and to train Charlemagne and his court in the abstract sciences. Probably a better man could not have been found at the time. He was not, indeed, of first-rate capacity: he was a pedant and affected; under his influence the imperial generals and statesmen were tainted with a singular Della Cruscaism; Charlemagne is styled David in their intercourse; Angilbert, Homer; and Alcuin himself, Flaccus. But Alcuin's heart was in the right place. Himself a strict churchman, who reformed the abbeys in his gift, and wishing to free the clergy from all dependence on the secular courts, he yet remonstrated with Charlemagne against his oppression of the Huns and Saxons in the cause of orthodoxy; and we find him in his Rhetoric distinctly laying down the doctrine that reason is of no creed; and that only right results must be looked to in the sciences.³ The

¹ Bede, *De Naturâ Rerum*, caps. 2, 4, 5, 7, 37, 45.

² *Biog. Ang. Sax.*; Art., Alcuin.

³ Alcuin, *Epist.* 53, 96. He advises gentleness in the exaction of tithes. *Rhet.*, p. 324. Alcuin has

quoted a story of an ancient philosopher; "Carolus: Iste philosophus non fuit Evangelicus? Alcuinus: Non sed rhetoricus. Carolus: Cur credimus ei? Alcuinus: Ille secutus (est) suam artem."

spirit of his teaching may be gathered from his division of the sciences, which is fuller and more systematic than those of Aldhelm and Bede. The science of sciences, in which all, as it were, are summed up, is philosophy. All things, human and divine, are the subject-matter of philosophy; and according as it is certain or speculative, it is science or opinion. It is divided into three minor branches—physics, ethics, and logic. Under physics are contained arithmetic, astronomy, astrology, geometry, mechanics, medicine, and music: the value assigned to music is no doubt of Greek origin; the others were the best known of the positive sciences. Under ethics come the four cardinal virtues, apparently for the sake of symmetry. Logic is made up of dialectic and rhetoric.¹ That astrology should be accounted a science was natural; the conception that the stars were mere satellites to the world was bound up with the idea that they influenced it; and two treatises ascribed to Bede discuss the meaning of thunder on particular days, and under what aspects of the moon it is right to bleed; more doubtful, but also more important, were the astral influences on birth and fortune. The omission of grammar is difficult to explain. Theology is seemingly not included, but the practice of a religious life is put under ethics; and the super-sensual intuition of God, of which Alcuin speaks elsewhere, was after all only another aspect of philosophy. Out of this vast unity of science, which Alcuin no doubt expounded in all its parts, there remain only a few treatises which can certainly be called his. These are mostly in the form of catechisms, and explain grammar, orthography, rhetoric, dialectics, and the lunar year. Priscian and Donatus, Isidore and Porphyry, are the sources of Alcuin's learn-

¹ Alcuin, *De Dialecticâ*, pp. 335, 352; *De Rhetoricâ*, p. 331.

ing, but he has not borrowed servilely; he corrects, abridges, or dilates, as occasion prompts, and intersperses characteristic anecdotes and reflections. He himself, no doubt, would have rested his fame on his controversial theology, on his poems, and on his biographies of saints. The interest to us of his scientific teaching is not that it is original, but that it marks the limits within which thought was moving; narrow boundaries indeed for reason, but complete and symmetrical in themselves.

The reputation of a great teacher, in times when literature was a monarchy rather than a republic, was at once propagated and impaired by the issuing of forged works, which were recommended with his name. We know the titles of no less than twenty-nine scientific treatises which were thus attributed to Bede; and proverbs, poems, and fables were fathered upon the great Alfred. Sometimes, perhaps, there was no intention to deceive; it was only that a particular subject-matter was classed with the works of its most eminent authority; anachronisms of time and place are inserted freely, as if there were no plan to mislead, and no fear of criticism. Alcuin has suffered like others in this respect, and the spurious works fathered on him in science are as numerous as his undoubted productions. Among those which may unhesitatingly be condemned is one which never even bore his name till it was first printed in the seventeenth century, but which has unfortunately been used by so candid and learned a scholar as M. Guizot to convey an impression of Alcuin's capacity as a thinker.¹ It consists of a number of verbal quibbles in

¹ It is called "*Pippini regalis et nobilissimi juvenis disputatio cum Albino Scholastico.*" Alcuin, pp. 352-354. Guizot's *Discours sur l'Histoire de France*, tom. 2.

question and answer. "What are letters?—The gaoler of history. What is speech?—A traitor to the thought. Who is the father of speech?—The tongue. What is the tongue?—The scourge of the air. What is the air?—The guardian of life." Now, that Alcuin's ability was far above the level of this word-catching, his scheme of science alone is sufficient to show. But in fact conversations of the kind quoted abound in early and mediæval literature, and were the amusement of idle hours, just as Englishmen in the nineteenth century sometimes play at proverbs and definitions. In one very popular English form they appear as dialogues between Salomon and Saturn, the wisest of all kings, and the typical god of wisdom. In another more modern version, Salomon is a Christian emperor, who converses with Marcolf, a Teutonic Sancho Panza. Sometimes it is a bishop, who detects a priest in uncanonical practices, and threatens to punish him if he cannot answer a string of difficult questions.¹ The questions themselves differ with the framework of the story, and are dialectical in those which were meant for the schools, like that ascribed to Alcuin, while they sparkle with coarse and palpable humour in the versions which the people learned. But they are only as straws tossed about in the eddies of wind, which cannot be trusted to show its real direction.

With Alcuin's departure from England, learning seemed to leave the island. Northumbria was distracted by civil wars, and the Saxon parts of the island produced no single man distinguished for literary eminence. Alfred was constrained to import foreigners, and the

¹ Mr. Kemble has apparently exhausted this subject in his *Dialogues of Salomon and Saturn*. Compare

the story of Secundus in Hoveden; Savile, p. 464.

Welshman Asser, the Irishmen Dicuin and Scotus, and the Germans Grimbold and John the Saxon, only serve to make the darkness of the ninth and tenth centuries more visible by their nominal connection with the island. Anglo-Saxon medicine, though partly derived from a Greek original, had retained chiefly what was worthless in ancient science, and the doctor was compounded of the herbalist and the conjuror.¹ Yet the English surgeons seem to have ventured on operations even for stone under the influence of anæsthetics, and we read of artificial limbs, such as a silver hand, a copper foot, and iron fingers.² The tradition of learning almost died out of the land: and the beginnings of a national literature in the Saxon chronicles and songs, and in translations of Danish sagas, like that of *Beowulf*, are too meagre and wanting in original power to be regarded as illustrations of a movement in thought. The great merit of our early annals, their truthfulness, is very much connected with the facts that they summarized without often entering into details, and that the writers did not affect a rhetorical style. In fact, the people, divided between war and devotion, at one time distracted by the Danes, at another occupied by the practical reforms of Dunstan, had no leisure for abstract speculation, or works of art. The general ignorance of the clergy was one of the reproaches by which the Normans excused their usurpation; and the instant revival of letters after the Conquest can hardly have been accidental. Mechanics and music seem to have engrossed the secular energies of Dunstan,

¹ See the two volumes on *Leechdoms*, *Wortcunnings*, and *Star-craft*, edited by Mr. Cockayne for the Record Commission.

² Hardy's *Descriptive Catalogue*, vol. i. part i. pp. xxviii. xxxii. *Orderic*, vol. iii. p. 403.

Æthelwold, and Wulstan.¹ Yet there was one Saxon in the tenth century (A. D. 960-1006), who, though chiefly remembered as a divine, showed a certain esteem for profane learning. Archbishop Ælfric was the author of a grammar translated from Priscian and Donatus, of a glossary of Latin colloquial terms, of a hand-book of Latin conversation, and perhaps of a manual of astronomy.² Society does not rise beyond the elements of learning, and the primate, under Ethelred, descends lower in the reconstruction of knowledge than even Alfred needed to stoop.

The appliances of learning differed widely in extent at different epochs, but were always insufficient. Still the library at York, which Alcuin has described, would have been thought good many centuries later. It contained the principal fathers, Augustine, Ambrose, Gregory, and Chrysostom; among poets, Virgil, Statius, and Lucan; and of other writers, Aristotle, Cicero, Pliny, and Boetius. It was strong in grammarians; but the list of historians is scanty, Orosius, Trogus Pompeius, and Bede being the best known.³ The frequent quotations in Bede, Aldhelm, and Alcuin, prove that other standard authors, Horace, Ovid, Lucretius, and Lucan, were widely read; Bede, at least, possessed a knowledge of Greek literary history;⁴ and Greek words are quoted to illustrate rules of grammar, or interspersed in treatises and charters with a frequency

¹ Æthelwold made an organ with his own hands, and wrote on the quadrature of the circle. Wulstan wrote on the harmony of tones. *Biog. Ang. Sax.*, pp. 435, 439, 471. *Monast. de Abingdon*, vol. ii. pp. 277, 278.

² *Biog. Ang. Sax.*, pp. 485, 486.

³ Alcuin, p. 257.

⁴ *De Arte Metricâ*, c. 3, where he says that Homer scarcely ever lengthens a short syllable by emphasizing it. Cf. c. 25, where he quotes and explains the Greek names for different kinds of poetry.

that shows how long a smattering of the language must have been retained. During the eighth century, England was even able to export books. After the Danish invasion, things changed, and instances of private libraries, such as that of one Athelstan, under Egbert, who possessed ten volumes of his own, are not to be looked for under Alfred. Yet, in the early part of the eleventh century, bishop Leofric gave sixty volumes to the church of Exeter. One of these, the "Codex Exoniensis," is the chief source of our knowledge of Anglo-Saxon poetry. The other volumes are mostly theological, but comprise Persius and Statius, with Porphyry, Isidore, Orosius, and Boetius.¹ While a single individual was able to accumulate such extensive stores of learning, the wealthy abbey of Croyland possessed, in A. D. 1091, three hundred large, and four hundred small volumes, which it assuredly did not owe to the Norman invaders.² It is probable that the monastic revival had already borne fruit in promoting the transcription of manuscripts; the monks were at once more learned and had more leisure for such occupations than the secular clergy. A canon enacted under Edgar, which enjoins that no priest receive another's scholar without permission, and the fact that parish churches were often used as schools, are evidence that some general education was coveted and given.³ Yet these instances taken alone would give too favourable an idea of the state of learning. A single active abbot might create a library.

¹ Biog. Ang. Sax., pp. 37, 38.

² Ingulfus, Gale, vol. i. p. 98.

³ Canons enacted under K. Edgar X; A. S. Laws, ii. p. 247. Wright's Domestic Manners and Sentiments, p. 119. Compare Ingulf's account

of his going backwards and forwards to school, (Gale, vol. i. p. 62), and Orderic's statement that he was put under the care of the noble priest Siward, "litteris erudiendus," (vol. ii. p. 301).

The highest laymen were ignorant of writing, and often, probably, of reading, down to the latest times of the Saxon monarchy; they sign charters with a cross.¹ Even the knowledge of those who served as notaries to the witan and other gemots must commonly have been mechanical and unintelligent. Above all, such knowledge as there was, was rapidly petrifying; opinions were received and taught with Chinese docility; the country needed to be roused from its insular apathy by the shock of invasion, to bring up questions of law and right, by a larger acquaintance with the continent, with philosophy, and with the Pandects.

¹ "When we consider how improbable it is that any of the witnesses either did or could write his

own name," &c. Kemble's Saxons in England; Cod. Dip., vol. i. p. xcvi.

CHAPTER XX.

THE ANGLO-SAXON CHURCH.

RELATIONS OF CHURCH AND STATE. POSITION OF THE CLERGY. CHURCH DISCIPLINE AND INQUISITIONAL POWERS. IDEALIZATIONS OF PEACE AND WAR. INFLUENCE OF THE CHURCH ON PURITY OF LIFE. CHRISTIAN CHARITY. KOSMICAL THEORIES OF A FUTURE LIFE. MYTHOLOGICAL PHASE OF INTELLECT. MIRACLES. RESULTS OF A BELIEF IN THE SUPERNATURAL. COMPULSORY PROFESSION OF CHRISTIANITY.

THE Anglo-Saxon Church was missionary in its beginnings, monastic in its organization, and aristocratic by its connection with the king and chief nobles. The traces of its foreign origin were preserved in its filial connection with Rome. The monks and canons of the first diocesan cities remained, throughout Anglo-Saxon history, the centres of Church government. Tithes were paid to the bishop, and he licensed the confessional. In general, bishops and abbots were drawn from the highest families of the kingdom. This connection with the nobility associated the Church, in England beyond any other country, with the duties of civil government. By the practice which gradually prevailed, the Church might be said to exist separate from the State, but the State was interpenetrated by the Church. The synods, from an early time, adjudicated in civil cases where Church property was concerned. Towards the end of the monarchy they ob-

tained the right of punishing priests who had offended against the criminal law; and this privilege was of course distinct from the feudal rights of judgment which the higher clergy possessed over their dependants.¹ Moreover, although their lands were compelled to do military service to the State, the appearance of the clergy themselves in armour was repugnant to the better feelings of their countrymen; Odo appeared in the field to pray; Turketul even headed the London militia, himself slaying no man, although in the thick of the fight; but when bishop Leofgar "forsook his chrism and rood," and "took to spear and shield," the Saxon historian recorded it as a scandal.² The bishop was named by the king and witan; ranking with an ealdorman, he took part in the great council of the nation, and presided conjointly over the seir-gemot. By a natural feeling, the minister of Christ was esteemed the proper person to see justice done between man and man, to interpose the warnings of the Church against perjury, and to superintend the ordeal; as chief of the educated class, he would speak with authority upon all questions of succession and contract; he guarded the standards of measure and weight; to him the serf

¹ Cod. Dip., 184, 186, 256. Canute's Laws, S. 43; Leges Edw. Conf., 21; A. S. Laws, vol. i. pp. 401, 451.

² Ingulf's remark (Gale, vol. iii. p. 37), that it was allowable for a clergyman to fight for his country, is against the whole spirit of the canons, and betrays Norman influences. The incidental explanation of the presence of churchmen in battles given in the Hist. Ram. is preferable: "Occubuerunt (in the battle of Assington) Ædnothus, Episcopus

Dorcastriæ, et Wlfsius Abbas Ramesiæ, qui cum multis aliis religiosi, juxta morem Anglorum veterem ibidem convenerant non armis sed orationum suppetiis, pugnantem exercitum juvaturi." Gale, vol. i. p. 433. Compare p. 497. There is, however, one genuine exception in bishop Ealhstan, of Sherbourne, who went with an army against Kent (A. D. 823), and was in command at the battle of the Parrot (A. D. 845). A. S. Chron.

might appeal if he were overworked; and he controlled the revenues out of which the poor were relieved.¹ Besides this, the whole correctional police of the country was in the hands of the Church; the State might inflict fines, or mutilate, or take away life, but only the bishop or the priest could enforce penance or seclude the criminal from the world.

This importance of the heads of the Church was increased by the large size of their dioceses, and by the fact that learning and character belonged rather to the canons or monks, who commonly sided with the bishop, than to the mass-priests of the country villages. The ordinary Anglo-Saxon priest was no very dignified personage. He was commonly, in later times, of the semi-servile class, and had probably, therefore, in an earlier period, been taken from the *ceorls*, or *yeomanry*,² whose social degradation he shared. He had the habits and faults of the class from which he sprung. It was necessary in the tenth century to warn him that he should not be a public spoiler, or engaged in private feuds; that he should not drink in taverns, or greedily introduce himself at funeral feasts. Even the decencies of

¹ Kemble's *Saxons in England*, vol. ii. c. 8.

² Mr. Kemble makes the parish priest equal to the head of the hundred. But he only supports this from Walafrid Strabo, a foreign authority of the ninth century. *Saxons in England*, vol. ii. c. 9. His oath and witnessing capacity were equal to those of a thane; but the sanctity of the seven church degrees is the reason given in the laws for this privilege, *Oaths*, 12; *A. S. Laws*, vol. i. p. 183. If he were married he forfeited this privilege, and was rated

according to his birth. *Canons under K. Edgar*; *A. S. Laws*, vol. ii. p. 257; *Laws of Cnut*, vol. i. pp. 365, 6. In *Domesday Book* it is often specially mentioned if the priest be free, and he "is often numbered with the villeins and borders." *Morgan's Normans in England*, pp. 106-111. Again, though the expression in *Ælfric's canons* (6), that the priest ought not to live like a *ceorl*, no doubt applies primarily to the question of marriage, the comparison may be fairly taken to indicate the ordinary social position of the mass-priest.

church service were often scandalously neglected; books and vestments were wanting; improper vessels used for the Eucharist; the church turned into a barn, and the altar covered with dung. It was natural that the heads of the Church should restrict the duties of a secular clergy who were thus imperfectly educated, and the mass-priest was only required to explain the simplest truths of the faith, to catechize children, and administer the sacraments. The people did not altogether trust him even for these, and a popular bishop on his circuits was sometimes called upon to baptize the children of a whole neighbourhood, who had been kept for his arrival. Still more decidedly was confession an episcopal privilege, which the priest could only exercise as the bishop's vicar.¹

The confessional in the tenth century was very different from what it has become under altered conditions of society. The mere fact that it was not brought home to every man's door, that the sinner burdened with a sense of guilt had often to seek absolution in a distant part of the diocese, would in itself exclude much that is unavoidably morbid in the frequent habit of self-analysis. But, besides this, the rough soldiers and peasants who came to fit themselves for Easter had a different ideal of life from the modern. They knew that murder and theft were wrong, but they classed them with other offences against Church discipline; any sin was a breach of the system under which all were bound to live, and they drew no subtle distinctions between moral and positive laws. Their belief in the brotherhood of men was based, not on abstract notions of humanity, but on

¹ Kemble's *Saxons in England*, iii. pp. 60, 61; Vita S. Wistani, *Ang. Sac.*, vol. ii. pp. 248-261.

the conception of a common fellowship in Christ; and to keep Easter on the wrong day might therefore be worse in itself than to shed blood, inasmuch as the former was an offence against the communion of souls, the latter only against that of men. Such a doctrine may seem monstrous, and the case instanced is no doubt extreme; but the theory at least rested on better grounds than the bigotry of modern times. As the ideal placed before society, the Anglo-Saxon Church-system was believed to be wide and deep as human nature and life, and was designed to reflect God's law, which was perfect as his attributes, and from which the slightest deviation was sin equally with the greatest. Moreover, it must be remembered that much which now appears to us insignificant was of the last importance in semi-barbarous times. When the sins of the flesh were the crying vices of the land, the fasts of the Church were invaluable as a protest against excess in eating and drinking. Accidentally, the laws forbidding marriage within certain degrees prevented the formation of clans, and removed a fertile source of madness and scrofula. We in England have outgrown these rules, and the possibility of enforcing them: we leave sins of act to the law, and sins of thought to conscience and God's judgment; but this immunity for moral transgressions is of recent date everywhere except in the English Church; the Scotch and American Churches of the last century had tribunals as pitiless in their purpose as any to which the Anglo-Saxons were ever subject.

The worst consequences of this moral theory of life were its interference with family ties, and its tendency to substitute mechanical for moral expiation. Among ourselves, a father cannot divest himself of his authority over his children, nor a man of his own liberty, except

in cases where a money value for it is given. Among the Anglo-Saxons it was natural that the higher law should over-ride the lower; and that individual freedom should be sacrificed to the well-being of society. When Wilfrid of York was riding through his diocese, a woman brought him a dead child to be baptized, hoping that the holy water would restore life. The saint perceived the imposture, but prayed to God, and the infant lived again. Wilfrid told the woman that she must consider it dedicate to God's service; she perhaps consented at the time, when her heart was full, but when the boy grew up, her courage seems to have failed, she could not endure to be separated, and fled with him out of the country; Wilfrid appealed to the law; the fugitives were brought back, and the boy placed in a monastery. Cases of this monstrous kind were not, we may fairly hope, common.¹ The observance of monastic vows was in like manner made matter of enforcement by the State.² To this, perhaps, there is less objection, when vows are taken at the age of discretion. But no system, however complete in theory, or supreme in the consciences of men, can be carried out without inequalities. Assuming virtue and vice to be opposite quantities in a State, which the Church aimed at increasing or diminishing respectively, it was natural that it should permit an offence to be compensated by a good work. A slight extension of this principle would allow one good work to be substituted for another; the singing of psalms for fasting, especially in cases where fasting was precluded by ill-health. By a just but hor-

¹ The existing laws of Austria compel a father to educate his son in a faith not his own, if he has made a written covenant with the Church.

² Vita S. Wilfridi, Gale, vol. iii. pp. 60, 61. Laws of Ethelred, v. 4-7; A. S. Laws, vol. i. pp. 305-307.

rible analogy, a sort of insurance for sin came to be established, a man calling in his friends to share his penances. Penitence in the criminal was the condition of acceptance for these good offices; but the contrite rich man, who could purchase the services of eight hundred and fifty-two assistants, might in three days accomplish the penance of seven years.¹ It is clear that some divines of the Anglo-Saxon Church had nothing to learn from Escobar. It can scarcely be accident that this system was elaborated in the time of Dunstan, whom it probably did not survive. The great churchman, distracted between his desire of enforcing discipline, and the impossibility of constraining an unruly court to obedience, may well have hit upon a compromise, which satisfied all the logical conditions of theory, and produced a quantitative equation between sin and its satisfaction.

The two principal points in which the Christianity of the early middle ages surpassed the moral ideal, under the Roman empire, of respectable men who were not philosophers, were the doctrine of forgiveness of injuries, and a greater purity of life. The command to pardon enemies was understood and acted on by the early Church with a literalness of application which would now be considered extravagant. Not only was private feud forbidden, but the evident tendency of the seventh and eighth centuries in England was to regard public war, even if defensive, as carrying with it some guilt. In fact, the plain teaching of the gospel, "not to resist evil," and "to do good to them that hate you," was re-

¹ Of Powerful Men: A. S. Laws, vol. ii. pp. 287-289. Compare the practice in Iceland, by which, in a "blood-feud," the different causes of

suit in a family might be set off against those in their antagonists. Dasent's *Njal Saga*, vol. i. pp. 206, 207.

ceived without casuistry by an intensely Biblical age; and however the practice of early converts might fall short of this ideal standard, the Church steadily preached peace, canonized the kings who deserted the duties of generalship for the cloister, and abstained from consecrating the service of arms. That this theory might ultimately, as in fact it did, leave Christendom at the mercy of the heathen, would not have been regarded by the monk as any argument against it. His kingdom was not of this world; his favourite conception of Christian life was opposed to the continuance of human society; and he cared the less for possible casualties as he looked forward to the approaching end of the world. But this moral exaltation of a few enthusiasts could only dominate society in peaceable times. The Danish invasion made war a duty to the mass of men, who were not prepared for martyrdom, and who could only defend their faith, let alone their wives and children, by taking up arms against the heathen. All England again became warlike, as in the old times, to resist the Danes; the strife was a crusade, and the clergy who followed its progress with their prayers, at last learned to baptize the warfare on the success of which society depended, and the knight was initiated with a solemn ritual to service in the field.¹ The effeminate Syrian element had been overpowered by the stern necessities of life. What was good in the doctrine remained, often indeed obscured by human passions, but none the less re-asserting its rights when the din of battle was hushed. The confessor at Shrove-tide was enjoined to refuse absolution to any man who was at feud, and who would

¹ Ingulf, Gale, vol. i. p. 70. The Normans, among whom war had not taken the form of a crusade against

heathendom, despised the Saxons for receiving benediction from a priest.

not make peace with his enemy.¹ Even in the more difficult question of building up the State-Church, it was constantly the priest, Alcuin or Frederic, who protested against persecution, and the layman who was over-zealous for God. No contest was more bitter than that between Edwi and Dunstan. Yet the same chronicler who relates with evident satisfaction the barbarous mutilation of Edwi's queen, delights to record how the king's soul was saved, by Dunstan's prayers, from the devils who carried it off. Where no political purpose was to be achieved, it seemed more glorious that the saint should forgive² than that his enemy should perish.

Strangely enough, it is almost impossible to decide how far Christianity promoted purity of life. The true social history of the ancient Greek and Roman world can never be written: it is too bad; and Tertullian and Augustine might well exalt the practice of the primitive Christian communities in contrast with the corruption that reigned around them. But it is a question still undecided whether the good effects of the doctrine that the body was the temple of the Holy Ghost, and ought to be kept sacred, were not more than neutralized in the early Christian Church by the backslidings from a life of sworn celibacy. Boniface distinctly states that the impure practice of Christians in the eighth century was far below the level of the pagan Saxons and Wends.³ More fearful evidence is given by the Penitentials of Theodore, in which a variety of sins of the flesh are specified, to which the depravity of all known ages of the world could scarcely furnish a parallel. The testi-

¹ Eccles. Institutes, xxxvi.; A. S. Laws, vol. ii. pp. 433-435. Compare the story of the merciful knight whom Jesus descends from the cru-

cifix to kiss. Robert of Brunne's Handlyng Synne, pp. 121-124.

³ Malmesbury, vol. i. pp. 112-114

mony is not, indeed, sufficient for general application, as Theodore was an Italian, and may have had his own countrymen in view; or his catalogue, and others like it, are perhaps exhaustive lists of sins that only existed in the morbid fancy of a confessor. Yet it is probable, as Mr. Allen puts it, that where there was much smoke there was some fire. The question still remains, were the Christian English worse than their forefathers? Tacitus, who could not think calmly over the infamies of his own countrymen, must be taken with caution when he praises Germanic purity; the Norse mythology is far from decent; and that adultery was punished with death may only have been due to the low value set upon woman's life, and to the high regard for property which seems innate in the race. But it is not unlikely that the vices of a barbarous and those of a semi-civilized people may have differed somewhat in kind; that the hardy savages, whose lives were spent in the open air and in the chase, were mostly addicted to drunkenness and gluttony; while their sons, who lived in ceiled houses, and frequented the bath, inclined to the most passionate and least brutal of the sins of the flesh. This will mitigate the difficulty of supposing that the Christian generations, which believed purity to be the crown of earthly virtues, fell immeasurably below the practice of their pagan ancestors, who were moral from instinct or habit. And this explanation is confirmed by all the experiences of later centuries. The monastic ideal was lofty and grand, but it was attempted by men whose natures were still half-animal, and who had abundant means of sinning secretly, if they were ever disposed to yield to temptation. It is impossible not to believe that they lapsed repeatedly in corrupt and degenerate periods. Perpetual revivals were their one condition of success.

It would be unjust to expect the experiences or thoughts of our own self-conscious times from men whose training was rather to act than to reason. The Saxon mind was not analytical; it took no pleasure in self-questionings; its conception of the unseen world was vivid and palpable, rather than spiritual: it had dreams and visions, but not the ecstasies of the mystic. Hence, there is an undoubted tendency in its teaching to exalt the practical aspects of religion over the contemplative. Next to abstinence from the sins of the flesh, it especially recommended charity. "Mercy," says Ælfric, "is the medicine of sins: it redeems from eternal death, and allows us not to come to perdition. Mercy alone will be our guardian at the great doom, if in the present life we show it to other men." "As mercy extinguisheth fire, so do alms extinguish sins."¹ The context abundantly shows that he took charity in the largest sense: the kind thought, the cup of cold water, as well as the costly gifts thrown into the treasury, and it was therefore no mechanical substitute for spiritual faith, but the virtue of which the land stood most in need, when it swarmed with the leper and the slave, the orphan and the oppressed. Similar tendencies of thought may be traced in the early English conception of future life. To know something of what lies above birth and beyond death had been the great attraction of their new faith; texts of Scripture, passages of the Fathers, were all woven up into one poetical whole, enlarged by the visions of convent brothers. The world was peopled with spiritual existences; a good angel and a spirit of darkness attended every man from his cradle, and contended for his soul; at his death, the record of

¹ Ælfric's Homilies, vol. ii. pp. 103-107.

his works was read out, and heaven claimed or resigned him, as the good of his life outweighed the evil, or was itself overbalanced.¹ The war of good and evil was so unremitting that the soul needed the escort of armed angels to reach its home safely. The devils, who in Cædmon are still angelic, with "faded splendour wan," were gradually confounded in popular belief with the monstrous forms of the old gods, under whose shape it was thought they had deceived the world; like the Slavonic Zernebog, like Mahomet himself at a later date, Odin and Freia became fiends in the Christian mythology.² Nor was this a mere confusion of traditions: it rested upon a profound horror of sin, which refused to recognize the deep-seated excuses of error in human weakness; and shrunk from painting crime as anything but loathsome. The popular hell, which at first had been only the valley of Hinnom, with its corpses fed on by worms, and with lurid funeral flames, was transformed into a fathomless abyss, in which four vast fires glowed that were one day to burn the world: in the first, liars were consumed; in the second, the covetous; in the third, those who had stirred up strife; while the fourth was reserved for the impious.³ This distinction of punishment was presently completed by a discrimination of the places of final torture; and hell was conceived after the fashion of a Roman amphitheatre, which the dreamer no doubt remembered, as a spiral coil of

¹ "For about him (i.e. man) go two spirits—the one teacheth him to hold love, the other accuseth him and teacheth him astray, until he turneth to the worsen side by devil's deeds; then weeping, departeth the angel to his home." Kemble's *Salomon and Saturn*, p. 175. Bede, H. E.,

lib. v. c. 13.

² "Ardeat Jupiter perpetuis condempnatus incendiis, ardeat Venus et ipsa igneis alligata catenis." *Losingsæ*, epist. vi.

³ See the vision of Fursay. Bede, H. E., lib. iii. c. 19.

platforms winding down into utter darkness.¹ The Elysian fields of Roman mythology, with their pleasant glades and holy light, were the resting-place of the souls of just men, not yet made perfect.² But the beatific vision of heaven transcended the gaze of any northern saint; Greek mysticism first described it; and the genius of the great Florentine poet explored it to the feet of God Himself.

This fondness for the supernatural appears more fully in the childish love of miracles, which the lives of the early English saints display. We are startled by the contrast of an advance in moral practice over any but the most exalted philosophy, and a retrogression in the critical powers of the intellect. The discrepancy would not appear so great if the lesser names of Roman literature were more currently known. There is abundant evidence that the middle classes of the empire believed in omens, in witches, and in tricks of thaumaturgy,³ while philosophical paganism was an exotic confined to the highest classes of a few capital cities. Nevertheless, it is certain, and the fact cannot be too carefully borne in mind, that the thought of the early Christian ages was far inferior to that of the heathen times preceding; partly because the upper classes had been destroyed and the schools of learning closed by the inroad of barbarians, but partly also because the Christian Church, mainly recruited from the middle and lower classes,

¹ Wendover, vol. iii. pp. 204, 205. The resemblance of Turkill's vision to the structure of Dante's *Inferno* has been pointed out by Mr. Wright, in a paper on "St. Alban's." *Archæologia*, vol. xxxiii.

² Bede's description in the vision

of Drythelm, "*Campus latissimus ac lætissimus fragrantia vernantium flosculorum plenus*," recalls the "*locos lætos et amœna vireta*" of Virgil. *Æneid.*, lib. vi. l. 638.

³ Horace, *Epod.* v.; Apuleii *Metamorphoses*, lib. i. and ii. &c.

disliked and proscribed the teaching of the schools.¹ The experiment was then tried how far the world could dispense with its past, and disown any portion of itself; and, in the interests of truth, we may trust that no generation of men will ever again make a holocaust of old history at the shrine of a new faith. The Keltic and Germanic tribes who embraced Christianity received it on a low level of civilization; their gods were not an abstract expression of natural laws, or of moral attributes; they were real beings, wonder-workers, who brought pestilence, guided the shock of war, or blessed the cattle with increase. Loose thinkers of our own times class causes which they cannot understand under the general head of forces, to escape the necessity of definition; it is the homage of ignorance to that belief in law which science has rendered popular. The Anglo-Saxon was in a lower circle of thought. He was unable to suppose that the facts of his daily life, or which he could himself produce, the rising of the sun, or the melting of iron, were only the simplest expression of a natural order, which embraced equally what was occasional, the appearance of comets or a sudden death. Knowing that in his own household the water-mill worked without intermission, while children required the constant care of their parents, he assumed, naturally enough, that for little things the world was left to itself, but that anything out of the common was due to the intervention of a deity. Christianity intensified the feeling of this supernatural order, interwoven with the course of the world. But as the one God of the Chris-

¹ "Peccavi fateor et non solum in lectione gentilium auctorum," &c. Losingæ, epist. 28. "Vetuit (Alcuinus) ne sui discipuli se darent

lectioni veterum poetarum, præ primis Virgilii." Vita Alcuini., c. ix. s. 112. Cf., however, s. 111.

tians was too great to be introduced on trivial occasions without irreverence, it was not unnatural to suppose that the angels and saints who, as disembodied spirits, could be present everywhere, would guard the interests of their worshippers. Every village and every craft came accordingly to have its special patron, connected with it by some incident in his life. Against these the spirits of evil were waging war incessantly. While modern thought, therefore, has a tendency to conceive the world as a complicated mechanism, in which an exquisite adjustment of springs produces a constant balance amid constant variety, the Anglo-Saxon regarded it as a Greek theatre, with mechanical thunder and lightning, and other such stage accessories, but where all the action was carried on by gods, and heroes, and men.

The miracles of the Anglo-Saxon Church are often very childish, but they have a truthfulness of character which speaks well for the people; stripped of the little exaggerations to which all stories handed down orally are liable, they may constantly be explained and believed. In this respect they differ creditably from the Welsh and continental legends, and from those which were most popular after the Norman conquest. Stories of raising the dead to life are extremely rare. The miracles of St. Germanus come to us on the authority of a tradition so distant that no man would trust it in his own affairs; the cure of a blind man, which St. Augustine performed, produced no effect on the convictions of those who witnessed it.¹ St. Wilfrid's success with the baby is unaccountable, and may fairly be left

¹ Bede, H. E., lib. ii. c. 2. It is value as evidence, when they were clear that miracles lost half their supposed to be ordinary events.

so, in the absence of more precise details. In minor cases of sickness, St. Cuthbert's cure is a good specimen of a numerous class. He was lamed by a swelling in his thigh, and was sitting at the door of his father's house, when a stranger who passed by dismounted to learn the cause of the boy's illness, examined the swelling, and recommended that it should be poulticed. The remedy proved efficacious, and Cuthbert then knew that he had been visited by an angel. At a later period in life, the same saint, traversing the Northumbrian wilds, was in want of a shelter and food, when he suddenly saw a shepherd's hut, found it deserted, and discovered some meat and half a hot loaf hidden in the thatch. The parallel of Elijah and the ravens seems to have secured him from any scruple as to the lawfulness of taking his neighbour's goods; he could not doubt that the supply was miraculous.¹ Here the event would no doubt be classed by some modern religionists under the head of special providences. Often the miracles of the gospel were the model of Anglo-Saxon experiences. When Athelstane paid a visit to his kinswoman, the abbess of Glastonbury, she obtained by her prayers that the mead in the house should increase so as to suffice the king's retinue;² the remembrance of the marriage-feast at Cana had no doubt suggested the propriety of applying to God for help. Often the sacraments of the Church appear invested with a magical efficacy. Bede tells a story of a thane who was taken prisoner in battle. His brother, a priest, believing him to be slain, said masses

¹ Bede, Vita S. Cuthberti, cc. 2, 5. That remarkable book, "Some account of the Lord's Dealings with George Müller," abounds in cases of divine intervention to relieve one

who, in the nineteenth century, has founded and conducted a large institution on the principle of taking no thought for the morrow.

² Wendover, vol. i. pp. 387, 388.

for his soul; their efficacy in delivering was transferred to his body, and no chains being able to bind the prisoner, his captor was at last glad to ransom him on his own terms.¹ This story is elucidated by an event in St. Wilfrid's life. He had been thrown into prison and was to be manacled, but no fetters could be made that were not either too small or too loose for him. The imperfect art of the smith became material for faith to feed upon.² It is clear that this habit of mind, which looked for the perpetual intervention of God in the events of life, could not exist in any society without notable effects. In the cases of a few men, it no doubt raised the moral tone. The monk went out to colonize the wilderness or reclaim the heathen, believing that the powers of darkness were thwarting his efforts, scoffing him, seeking to destroy him, but with a quiet faith also that he would overcome in the end. It was thus that St. Gall, when he was out fishing, heard spirit crying to spirit, "Come over and help us, for a stranger is spoiling our heritage," and the saint made the sign of the cross, and the fiends fled wailing.³ But the same belief led men of baser mould to accept the results of their own cowardice as the special judgment of God; this it was unnerved the Saxons in their wars with the Danes and Normans, and taught men to regard the decadence of society as a sign of approaching judgment, rather than as the result of uneven laws and a corrupt morality. Lastly, men who see visions are a little unfitted for dealing with real life. The Saxon's faith in the

¹ This story, however, seems borrowed, with the addition of names and other slight details, from the Dialogues of St. Gregory the Great. Lib. iv. c. 67.

² Bede, H. E., lib. iv. c. 22. Vita S. Wilfridi, Gale, vol. iii. p. 70.

³ Vita S. Galli; Vita S. Sturmi; Pertz. Mon. German., vol. ii. pp. 7, 8, 367-370.

supernatural world was no separate part of his mind; and the predominance of the precise and dogmatical over the critical element in his religion disqualified him for exploring nature or weighing evidence. He was willing to trust life and character to the chances of the ordeal, from a pious sentiment that the unknown was divine. All learning took the form of a poem, into which fresh facts were woven up more or less artistically, and every part of knowledge was more or less a mystery or a miracle. This feature, however, was more largely developed in Norman times, when the study of the early fathers was revived.

It is important to observe that the profession of Christianity was not optional in England. Paganism and withcraft were prescribed under heavy penalties. Parents were bound to see that their children were baptized, at the risk of forfeiting all they possessed if the child died before the sacrament was administered.¹ The children were to be brought up as Christian, and to learn, at least, the pater noster and the creed. The church festivals and fasts were to be duly kept, and no legal meetings could be held or business transacted on them. Sunday was regarded with an especial reverence. Under Ine the slave whom his lord constrained to work on that day was set free, and the freeman who worked without his lord's command forfeited his freedom, or paid a heavy fine. The Sunday markets were next closed.² The prohibition was soon extended

¹ Laws of Ine, 2; A. S. Laws, vol. i. p. 102.

² Laws of Ethelred, vi. 44; A. S. Laws, vol. i. p. 327. This law was not universally enforced. At St. Germans in Cornwall, a manor of the

bishop of Exeter, there was a Sunday fair; (Domesday, I. f. 121, A); and an English peasant warned Henry II. against the sin of allowing Sunday trading. Gir. Camb., Itin. Camb., lib. i. c. 6.

from labour to relaxation; a miracle, in which the angels interposed to celebrate a mass which Dunstan had delayed till Edgar should return from the chase, gave occasion for a canon, which passed into a law, against hunting and all other worldly works. It was only permissible to prepare food, and to make necessary journeys.¹ Last of all, the limits of the sacred day were extended, and in defiance of the great Gregory, who had denounced a superstitious inaction on the seventh day as Anti-Christ,² it was made Sunday from the noon of Saturday to the dawn of Monday. Tithes might be recovered by distraint, and the withholder paid the penalty of his whole produce. The churches were free from local dues, and every one was bound to contribute to their support. It is probable that these ordinances were maintained as much by the public feeling of the country as by any vigour of the laws.

¹ Eadmer, *Vita S. Dunstan.*, Ang. Sac., vol. ii. p. 217. Eccl. Inst., 24; A. S. Laws, vol. ii. p. 421. Ælfric, however, praises a man who works seven days in the week, I presume through inadvertence. Homilies, vol. ii. p. 357.

² "Pervenit ad me quosdam per-

versi spiritus homines prava inter vos aliqua et sanctæ fidei adversa seminasse, ita ut in die sabbati aliquid operari prohibeant. Quos quid aliud nisi Anti-Christi prædicatores dixerim." Greg. Epist., lib. xiii. 1. Ælfric's Canons, 36; A. S. Laws, vol. ii. p. 363.

CHAPTER XXI.

THE LAST SAXON KING.

HAROLD'S OATH OF FEALTY TO WILLIAM. REFUSAL TO PERFORM THE
 COMPACT. CONTINENTAL FEELING IN FAVOUR OF WILLIAM'S CLAIM.
 TOSTIG'S INVASION AND DEFEAT. NORMAN INVASION OF ENGLAND.
 BATTLE OF HASTINGS. CHARACTER OF HAROLD.

THE witan of the south or Saxon England decided easily upon nominating Harold as their king. He conciliated the northern provinces by a personal canvass.¹ His connection through the marriages of his family with the Saxon and Danish royal lines was no doubt an argument in his favour. The only other candidate whom Englishmen could possibly think of was Edgar Ætheling, the legitimate heir according to modern notions of inheritance, who was still under age, and whose character, as his after-life showed, was feeble and unambitious. His pretensions were satisfied with the title of ealdorman of Oxford. But if the witan were free to choose their king, there was one reason which might have induced a more scrupulous man than Harold to decline the dignity. Some three years previously, A. D. 1063, he had been wrecked on the coast

¹ The statement of Florence that he was elected "a totius Angliæ primatibus" is probably near the truth. But great nobles were scarce in the north, and the people north of the

Humber were likely enough to object to any king of Saxon descent, even though a few Northumbrian thanes had been present in the witan.

of France;¹ thrown into prison by Guy of Ponthieu, the count of the district where he landed, and finally handed over to the duke of Normandy, who paid his ransom. William entertained the earl with high respect at his court, and even associated him as brother-at-arms in an expedition against Brittany, but allowed him to feel that he was something more than a guest, and might easily become a prisoner. At last, all reserve was thrown aside; Harold was required to promise that he would assist William to obtain the English crown, which the duke claimed in virtue of a promise from Edward when they were both boys in Normandy. The other articles of the treaty stipulated that Harold was

¹ The more credible account is that Harold was sailing out, either officially as guardian of the coasts or on a pleasure excursion. Eadmer's story is that he went against the king's advice to reclaim his brother Wulfnoth and his nephew Haco, who had been confided as hostages to the duke of Normandy in A. D. 1052, when Edward and Godwin were reconciled. But no other reliable history mentions any giving of hostages on that occasion, when Godwin was able to dictate terms, and Wulfnoth is entered in Domesday Book as having owned land in several counties, which seems inconsistent with exile and continuous absence from England. William of Poitou's language seems to imply that they had been hostages, but were so no longer. Even granting that part of the story to be true, it is most improbable that Harold, merely to bring back a brother, would put himself in the power of one whose rivalry he must have foreseen. The Norman story that the hostages were given to secure William's succession, and that Harold

was sent over by the king to confirm a promise of the kingdom made to William long before through the primate, Robert of Canterbury, is absurd. Robert was banished from England in A. D. 1052, and died not long afterwards; yet five years later the scrupulous Edward sent for his nephew, Edward Ætheling, intending to nominate him his successor. Harold was the last man to have accepted such a mission, at a time when the king's death was a question of a few years. Malmesbury's story is not improbable, but his fondness for reconciling contradictions makes him untrustworthy. He represents Harold as declaring himself a secret ambassador to the Norman court, in order to obtain his release from captivity. Guy of Ponthieu was evidently a harsh captor, and the earl would be anxious to obtain his freedom without delay. Threats of war as well as a ransom were in fact required to effect it. Eadmer, *Hist. Nov.*, p. 350. *Gul. Pict.*, pp. 85, 107, 108. Malmesbury, *lib. ii.* pp. 383, 384.

to give up the castle of Dover to William, and to let his own sister become the wife of a Norman baron; in return for this, the earl was to marry William's daughter, and might freely make any demand in reason upon William's gratitude. Harold had no alternative but to comply. An oath was demanded, and he could not excite suspicion by refusing it; he laid his hand on what seemed a small reliquary, and vowed before God to perform all that he had agreed to. The covering of the table was withdrawn, and Harold perceived with horror that he had sworn over a vase, in which all the relics that could be found near Bonneville-sur-Tonque were contained. He was now set free, and returned to England, where his plans for achieving the kingdom were carried on as unscrupulously as before; his nature was not one to be hampered by verbal engagements. But one point in this transaction is remarkable. There were at this time several exiles in Normandy: Normans driven from England, or English enemies of Godwin's family, or men outlawed by the witan.¹ Some of these adventurers a little later took part in William's invading army. It is strange that the duke should not have stipulated for the restoration of these men to their homes and dignities. Their return would have been a pledge of Harold's sincerity, would have provided William with adherents, and would certainly not have been disagreeable to the king. The omission of such an article implies that Harold's power was limited, as the

¹ There are several English names in the roll of Norman conquerors: Raoul de Gael, Mallet, Carew, Wake, &c. Raoul de Gael was grand nephew of Edward the Confessor. W. Mallet is called half English by Guy of Amiens, and his sister Ælveva was mother of the earl Morcar. Kel-

ham's Domesday Book, pp. 107, 278. The pretensions of less important families are more difficult to prove, but besides the great expulsion of Normans and Norman partizans in A. D. 1052, outlawries by the witan were not unusual.

stipulation that Dover should be surrendered proves that William anticipated having to carry out the treaty by the sword. It is probable, therefore, that the whole compact was a private one, witnessed only by the duke's chief councillors, and never divulged till it suited William's diplomacy to rouse European feeling by the charge of treachery against his rival.

So short an interval had been allowed to elapse between Edward's death and Harold's nomination, that the news of the two events reached Normandy simultaneously. William was furious at finding himself overmatched by Harold's treachery, but a contest with England, headed by a proved statesman and warrior, was too great a risk to be lightly undertaken, and the duke resolved to negotiate. He first sent an embassy to claim the literal fulfilment of the treaty. Harold returned a resolute denial. As regarded his sister, she was dead; if the duke desired it, he would send over her corpse. The castle of Dover, being Harold's property, should be given up, though it were to his disadvantage.¹ But it lay with the English witan to appoint their king, and choose a wife for him. Harold had accepted their nomination, and could not control their opinions. In a second embassy, William offered to waive every point except that of his daughter's marriage. Perhaps the dread of Norman favourites was still too deep-rooted for such a proposal to be entertained; perhaps Harold wished to conciliate the Northumbrians: he refused this last condition, and

¹ Eadmer's words are very difficult: "Castellum Dofris et in eo puteum aque licet nesciam cui ut vobis convenit explevit." I read "explevi," or better still, "explebo,"

and translate: "I will perform as to the castle, &c., though I know not whom it can advantage so much as you."

married the sister of the earls Edwin and Morcar. A slight circumstance indicated the complete triumph of the Saxon re-action. Under Edward charters had been ratified with the royal seal pendant in the Norman fashion. Under Harold the old method of simple subscription was revived. In fact, the Saxon king was less afraid of invasion from Normandy than of Tostig and a Norwegian fleet.¹ However, he made ample preparations by sea and land to repel any enemy, and allied himself with the strong church party by benefactions to monasteries.² He had taken the precaution to be crowned by the archbishop of York, as Stigand had never been recognized at Rome, where the Norman Robert was considered primate of England. But Stigand was none the less one of Harold's most trusted councillors; and a man so unscrupulous, placed at the head of a Church so powerful, was likely enough to head a revolt from Rome, at a time when the whole nation was animated by a common feeling against foreign influences.

The event showed that the public opinion of Europe could not safely be disregarded. William, who forgot the compulsion by which Harold's oath had been extorted, and only remembered that it had been pledged and violated, was honestly convinced that a grievous

¹ Malmesbury's language is perhaps a little too strong: "*Nisi quod Noricorum regem adventare didicit, nec militem convocare nec aciem dirigere dignatus fuisset.*" Lib. iii. p. 408. But it seems clear that Harold undervalued his enemy.

² The language of Florence is express: "*Ut regni gubernacula suscepit . . . episcopos, abbates, monachos, clericos colere simul ac*

venerari." Vol. i. p. 224. Moreover, the presence of clergy at Hastings shows that Harold had the good wishes of the Church. His spoiliations of monasteries, which Sir H. Ellis has proved out of Domesday Book, probably belong to the times when he was not yet a king. After all, such depredations were not uncommon in England.

wrong had been done him. This feeling was shared generally on the continent, where monarchy was regarded as a property like any other fief, with the single difference that, as the king had no superior, he could alienate it without asking leave of any man. No one doubted that Edward had preferred his cousin to the son of his brother's murderer, or that Hubert de Rie had brought over the sword, the hunter's horn, and the stag's head, by which Edward transmitted seisin of the heritage;¹ and the Normans adroitly circulated a report that he had even confirmed the nomination on his death-bed. Partly, perhaps, influenced by these considerations of justice, partly, no doubt, by the scandal of Stigand's primacy, and the dread of a further revolt in the English Church, Hildebrand, the ablest churchman of his time, persuaded the papal curia, which he dominated, to bless the expedition which William was now preparing against the shores of England. A bull excommunicating Harold, a consecrated banner, and a ring containing one of St. Peter's hairs, were sent to the duke of Normandy, as symbols that the justice of his cause was recognized by what was then the great tribunal of international law. That charge of treachery, which in later centuries has so often been brought against English foreign policy, was then heard for the first time; and men enumerated with horror the treacherous massacre of the Danes, the surprise of Alfred and his companions, and this last seizure of a heritage guarded by an oath. Animated by the sense of a righteous cause, and the hope of plunder, adventurers from all parts, and of every degree, flocked to the Norman standard. Although Philip of France declined

¹ Dugdale's Baronage, vol. i. p. 109.

to assist his formidable vassal to any increase of power, yet the knights of France proper, of Burgundy, Poitou, and Aquitaine, enlisted eagerly in the cause which the Church blessed. The count of Flanders was William's father-in-law. Conan of Brittany stood aloof, and even threatened Normandy with invasion on a claim very much like William's to the English crown, but fell ill so opportunely, that his death some months later was ascribed to poison; and count Eudes, who administered the duchy for him, sent his own sons to serve at the head of a body of troops in the expedition. Lastly, there were the English exiles, such as Raoul, Edward's great-nephew, who burned to reconquer their estates. William's own subjects showed the greatest reluctance to join in the enterprise; they exaggerated its dangers; they knew that all its expenses would fall upon themselves; and they foresaw that a king of England would prove a harder taskmaster than a duke of Normandy dared to be. But the malcontents were out-manceuvred by the seneschal, William Fitz-Osbern, who plied them separately with threats and promises till they gave a sullen assent. By the moneyed portion of the community, the war was regarded as a joint-stock speculation, with great risks, but also splendid chances; and the richer churchmen and church corporations contributed men and ships, with the hope of repayment in English benefices.¹ Under all these mingled influences, an army of many thousand soldiers, horse and foot,² was

¹ Thierry, *Conquête d'Angleterre*, tom. i. pp. 237, 238.

² The common estimate of sixty thousand is incredible, unless we include sailors and camp-followers. Of the fourteen great contributories Walter Gifford only furnished one

hundred soldiers, Hugh de Montfort sixty, and Remi of Feeschamps twenty to their contingent of eighty-one ships. This would give about two thousand heavy-armed men for the whole armament, about the number the barons in 1215 mustered

at last brought together; and a fleet of nearly eight hundred ships¹ was provided for their transport. By the end of August all was ready for the expedition. But contrary winds confined the adventurers for a whole month to the harbour of St. Valery-sur-Somme. The soldiers began to doubt whether William's cause were just and favoured by God.

Meanwhile Harold had been fully occupied by rumours of war, and by war. Tostig, on the death of Edward, had repaired to Normandy, and offered William his services, when the duke, whose plans were not fully formed, supplied his brother-in-law with a few ships;² and Tostig ravaged the coasts of England, pressing men and boats into his service as he went. A repulse off Northumbria, and the desertion of his men, forced him to seek alliance with some more powerful chief than himself; and he plighted homage to Harald Hardrada of Norway. Favoured by the dispersion of the English fleet, whose crews had gone home to victual, and which had been weakened by many wrecks in storms, the invaders sailed into the Tyne with three hundred ships. Their army, recruited by Tostig's following, stormed Scarborough, defeated the earls Edwin and Morcar, and

against king John. An average ship would probably hold from sixty to ninety men. Laing, *Hemskringla*, vol. ii. pp. 146, 170. And as horses were brought over, and there was a possibility of having to fight, the ships could not be closely packed. Some, too, lost their way, going too far east.

¹ Master Wace heard from his father six hundred and ninety six ships, but found in writing more than three thousand. William of Poitou says more than one thousand. The

"*Brevis relatio*" gives a list of seven hundred and forty six, and adds that there were others. Guy of Amiens says that Harold sent five hundred ships to intercept them; William of Poitou makes them seven hundred. The smaller number is the more probable, but, any how, the intercepting force must have been nearly equal to the intercepted.

² Tostig and William had each married daughters of Baldwin of Flanders.

exchanged hostages with the city of York, which waited the event of the war. Harold hastened northwards, and surprised the invaders at Stamford Bridge, on the Derwent. A short parley took place before the fight. Harold offered his brother the earldom of the north if he would renounce the war. "But what," said Tostig, "shall my ally, the noble Harald, receive?" "Seven feet of English earth, or a little more, as he is taller than common men." Tostig declined to purchase a principality at the price of a shameless treason; and the armies joined battle. But the Norsemen, distressed by the heat, had left their breast-plates in the camp, where part of their forces remained. The result could not be doubtful against an enemy fully armed and headed by a competent general. The English advanced in the form of a wedge; the invaders were scattered over a thin semi-circular line. The Norwegian king fell in the first shock. Tostig again refused terms, and led on the troops, now aided by the reserve from the ships, to a fresh charge. But their lines were already disordered; Tostig and the chief captains fell; the army was driven over the Derwent, where a single Norseman for a time held the bridge against the whole might of England; and Edmund and Olaf, the princes of Norway, were glad to obtain the quarter they had refused, and sail with twenty-three ships, the miserable remains of three hundred, for Norway. The sun of the Saxon monarchy shone gloriously in a last victory over its hereditary foes before it set for ever in defeat.

Meanwhile the intercession of St. Valery, whose relics had been carried in procession, or a simple change of wind, enabled the Norman fleet to leave its moorings. William led the van in a ship given him by his wife, Matilda of Flanders, its sails emblazoned with the lions of Normandy, and the consecrated banner flying from

the mast. As the English fleet had shortly before put into port to victual, the invaders landed without opposition at different points of the Sussex coast between Pevensey and Winchelsea,¹ and advanced, making fearful ravage as they went, in the form of a circle, of which Hastings was the centre. William secured his ships in the harbour, and evidently remained near the shore to guard them,² but the English fleet had again taken the sea, and watched the port, so that all thought of flight was idle. Meanwhile Harold was hurrying southward by forced marches, himself wounded, his army diminished by stragglers, and by many who murmured that he had appropriated the spoils of victory; the troops of the north not yet come up, and the Danish contingent, whom Sven had sent against the common Norwegian foe, refusing to serve in a new cause against men who claimed kindred with them. The English king's object, if he could not snatch another battle by surprise, was to seize the one pass which then led from Penhurst, by Robertsbridge, between the great Andred's forest and the salt tidal marsh that stretched to Bodiham. Could he only hold his position on the low hill of Senlac, his flanks secured by the wood and the Winchelsea river, William would soon find himself in a beleaguered fortress, without provisions and without hope of escape, while the English would gain strength day by day.³ The Norman outposts were stationed for miles in front of the duke's head-quarters, and fell back an-

¹ Ellis, *Introduction to Domesday*, vol. i. pp. 314-318.

² The story that he burned his ships was probably borrowed from the history of Agathocles, as another that he stumbled on the shore and converted it into an omen of good luck, by professing to take seisin of

the new territory, is an incident in the life of Cæsar. The classical renaissance of this century has left its mark on the popular histories. William of Poitiers, the duke's chaplain, knew nothing of either of these events.

³ See a paper by Professor Airey, *Archæologia*, vol. xxxiv. p. 247.

nouncing the furious approach of the foe. Harold's object was now to gain time, and his first care was to entrench himself.¹ There was no thought of fight for the day, on which night was just closing. Moreover, William, though confident of his strength, was willing to owe his kingdom to treaty rather than to war with his new subjects. Several embassies passed between the two hosts. Harold refused peremptorily to resign his crown, or to leave his claims to the arbitration of the Pope, who had already prejudged him, or to settle them by single combat with the duke. William, on his part, met the statement that Edward had nominated Harold king with his dying breath, by a counter-assertion that the succession was no longer Edward's to give, as he had already nominated the duke in the presence of archbishop Stigand, and of the earls Godwin, Leofric, and Siward. A more unlikely witness than Godwin could hardly be mentioned, but he and the two earls were dead, and Stigand was not in the camp; and the falsehood did its diplomatic work, as it could not be refuted on the spot. A last proposal from the Norman camp, that Harold should be king of Northumbria and his brother Gurth ealdorman of the counties which Godwin had administered, was sufficiently moderate to be entertained; the first flush of confidence had passed

¹ The story that Harold sent out spies, who were taken through the Norman camp, and mistook the well-shaven soldiers for monks, is doubtful. The earliest authority for it is Malmesbury. The legend seems based on the supposition that the Saxons wore beards. The Bayeux tapestry, which was probably made in England (Thierry, *Sur la Tapisserie de Bayeux*), represents Harold

and his followers as only wearing the moustache; and Malmesbury himself states this to have been their custom. Lib. iii. p. 413. In Strutt's engravings from early illuminations, the practice varies; but at least half the men, and generally the soldiers, are represented as shaven. Long hair, however, was fashionable among Harold's courtiers. Orderic, vol. ii. p. 168.

away since the English saw the number of their foes, and a council of war had advised retreat upon London. But the English nobles on reflection dared not trust themselves to a prince who was said to have promised their lands and goods, their very wives and daughters, to the sixty thousand followers at his back. One and all resolved to make common cause with their king; only Harold's brother Gurth implored him to leave the battle to men who would not fight with a violated oath and God against them. Harold did not, and could not comply. The Nemesis of his crimes had overtaken him, and he could not in honour desert the men whom he ought in honour never to have commanded.

The night before the battle was spent by the Normans in prayer and confession of their sins. The Saxons left the duties of religion to the monks in their camp, and took their last leave of the world in drunken riot.¹ Next day, October 14th, the two armies were drawn up on two opposite hills, divided by a slight interval of low ground; the English, however, had the advantage of the higher slope. It was a battle of the old and new worlds. The English were still armed with the axe, as when they had conquered Britain six hundred years before; they had no archers, though they brought a few petronels into the field,² and a part of their force had no better arms than clubs and iron-pointed stakes. Their

¹ Malmesbury, lib. iii. p. 414. Two canons were sent from Waltham abbey to witness the battle, and bring back the bodies of the king and other friends, if they were slain, as the monks inferred from an omen they would be. De Invent. Sanct. Crucis, c. xx. The abbot of Hyde and twelve monks are said to have been found lying dead in armour on

the field of battle next day. Probably most of the English monks remained spectators of the battle, like their brethren in the Norman camp. "Li proveire et li ordoné En som un tertre sunt monté Por Dex preier et por orer Et por la bataille esgarder." Roman de Rou.

² Gul. Pict., p. 133.

horsemen had dismounted, as the only object was to hold a position, and with the men in mail-armour in front, they formed an impenetrable phalanx which they could not break without disordering their ranks. Thus appointed, they clustered around their standard, the image of an armed Warrior, and welcomed the Norman onset with shouts of "Holy Rood" and "Mighty God." The strength of the Norman army lay in its panoplied horsemen and its archers, but the soldiers generally, having swords and spears, were better armed than the English. Yet so perilous did the service appear, that two barons, De Conches and Giffart, declined to carry the consecrated banner. The army, however, marched up gaily to the charge with Taillefer at their head, singing songs of Roland and Roncesvalles; while William appeared in the ranks with the relics on which Harold had sworn hung round his neck. For a time no impression could be made, the English ranks stood firm, and the Norman knights were hurled headlong down the hill, or driven into a blind fosse by its side. At one moment a panic ran through the host: it was rumoured that the duke himself had been killed, and William only restored the battle by unbarring his vizor and staying the fugitives in person. But artillery and discipline produced their invariable results under competent generalship. The English phalanx was weakened by a storm of arrows, so discharged as to fall perpendicularly on the combatants; and a series of feints drew the soldiers from their position; they had learned to fight, but had never been drilled to manœuvre, and unable to recover their ground, were cut to pieces in detail. Last of all, Harold and his peers were slain around their standard, and the papal banner floated in victory over English soil. Yet so obstinate had the struggle been, that it had lasted from early morning till sunset; several

thousand Normans paid the price of the victory with their blood,¹ and the English, while retreating through the wood at their rear, beat back their pursuers so fiercely that the fortune of the day was again in jeopardy, till William brought up reinforcements. But the fate of the kingdom had been decided by the death of Harold and all the nobles of the south. It is said that William had forbidden quarter to be given; probably in so fierce a battle there was little thought of mercy on either side. But the Conqueror in his worst moments was always swayed more by policy than by passion. In the first flush of triumph he had ordered Harold's body to be buried like a felon's, under watermark on the beach. In his calmer moments he punished the Norman soldier who had mutilated the corpse, and allowed Harold's mother to remove it to a tomb better fitting a king.² A touching legend of a later age, told that only Edith of the swan-neck, whom Harold had loved and left, was able to point out the corpse of her royal lover, on which battle and outrage had done their worst.³ The people long refused to believe in his death. They said he had escaped from the field, and was expiating his sins as a monk at Chester.⁴

¹ "Normannorum fere quindecim millia perierunt." Orderic, vol. ii. p. 150. But this can scarcely be true, unless we accept the story of 55,000 combatants.

² I have ventured to combine the Norman story that Harold's body was buried, or perhaps only ordered to be buried on the beach (Orderic, vol. ii. p. 151; Gul. Pict., p. 138) with the English account that his body was given up to his mother, and buried at Waltham abbey. Malmesbury, lib. iii. p. 420. Knighton says that his tomb was to be seen there.

Twysden, 2342, 2343. He had once been cured of a stroke of palsy there, and had endowed the abbey with seventeen manors. Monasticon, vol. vi. p. 56.

³ This tradition, which originated with the monks of Waltham abbey, (De Invent. Sanct. Crucis, c. 21), has some confirmation from the words of Orderic: "Heraldus quibusdam signis est non facie recognitus."

⁴ Gir. Camb., Itin. Camb., lib. ii. c. xi.

Harold's character has been praised or attacked as his historians have been Saxon or Norman in their prejudices. It is not without greatness, but it is not great. His presence, by the admission of the Normans themselves, was kingly; his body well-shaped and powerful; he was bold in action, eloquent in council, free of jest and pleasant in court. But he fell below the average morality of a country whose public policy was already branded as treacherous, and of times in which every man fought for his own hand. His reckless bravery, and the story of the love which Edith bore him, have invested him with a false halo of romance; but the men of his own time esteemed him rather for generalship and craft, than for high feeling or honour. Professed a churchman and patriot, he enlarged his estates by church plunder,¹ and exposed England to a war single-handed with Europe, rather than give up the diadem for which he had plotted and sinned.² It is a slight circumstance, but it marks the character of the man—self-confident and disdainful of public opinion—that he treated the envoys who came to his camp with brutal insolence. The modern theory that excuses his acts by a lofty public spirit, is refuted by the inconsistencies of his conduct: he offered Tostig, when Tostig was powerful, the earldom taken from him when he was weak;

¹ For instance, in the Domesday of Hertfordshire we find "Wimondley: This manor was in the demesne of the church of St. Mary of Chatteris, but earl Harold took it from thence. Hexton: A vassal of the abbot of St. Alban's held it. Earl Harold laid this land to Hitchin by force and wrongfully." "Cleri tyrannus" he is called. *Aurea Legenda*, clxxxix. "Regnante Edwardo

monasteriorum . . . plurima destructio facta est." Eadmer, *Hist. Nov.*, p. 349.

² Sir F. Palgrave says, "By other writers he is particularly blamed for his oppressive enforcement of the forest laws." *History of England and Normandy*, vol. iii. p. 296. I cannot discover any authority for this statement, except Knighton (*X Scriptores*, 2339).

and he wavered the day before he died, whether he should not dismember England by treaty with the invader. By a singular retribution, his crimes were punished by the very men against whom he offended: Tostig, whom he tried to supplant, and William, to whom he had perjured himself, were the instruments of his ruin. It is the most terrible condemnation of the English people, that the name of such a man as Harold should be indissolubly connected with the last days of their national life; it is Harold's best title with posterity, that the Saxon monarchy was buried on the field where he fell.

CHAPTER XXII.

THE NORMAN CONQUEST.

SUBMISSION OF KENT AND LONDON. THE CORONATION. WILLIAM'S FIRST MEASURES. EXETER REVOLTS AND OBTAINS TERMS. WAR IN THE MIDLAND AND NORTHERN COUNTIES. STORM OF YORK AND DEVASTATION OF NORTHUMBRIA. CHANGED POSITION OF THE GOVERNMENT. RELATIONS OF NORMANS AND ENGLISH. HERWARD AND THE CAMP OF ELY. FEUDAL REVOLT UNDER RAOUL DE GAEL. EXECUTION OF WALTHEROF. EMEUTE AT DURHAM.

THE importance of William's success was not seen at first. Afterwards, it appeared that the only man capable of uniting England had fallen, and that the only national army was broken. But William, for the moment, was more concerned to secure a base of operations and a safe retreat than to follow up the enemy. Part of the Norman troops seem to have been sent westward, through Sussex and Hampshire, with orders to ravage the country, and occupy its militia at home; they were then to converge northwards towards the Thames.¹ William himself went along the coast, burning Romney (where the men of the country had lately routed a fresh contingent from Normandy) and Dover, which was given up to be sacked. The garrison of Dover surrendered without standing a siege. The duke then marched through Kent, laying waste the country

¹ "Comes Willelmus Suth-Saxoniam . . . Suthamtunensen provinciam . . . devastabat, donec ad villam quæ Burcham nominatur veniret." Flor. Wig., vol. i. p. 228.

as he went; Canterbury made prompt submission; but the warlike men of Kent, headed by Stigand and Ægelsine, abbot of St. Augustine's, took up arms to defend their homes. William did not desire to gain every province by a battle; and he concluded a separate treaty with the enemy, purchasing their submission by the promise to confirm their laws and liberties.¹ Thus a province was withdrawn from the national cause; the old tradition of a separate nationality, little differences of dialect and customs, were still stronger in the very neighbourhood of the capital, than the remembrance of ancient union under Alfred and Athelstane.

Meanwhile, London was distracted with wretched intrigues for the crown that had fallen from Harold's brows. Eldred, archbishop of York, and the corporation of London, favoured the claims of the Saxon Edgar Ætheling; while Edwin and Morcar came forward as the Anglian candidates. Saxon interests prevailed, after much irretrievable time had been lost; and the earls withdrew into the north, leaving London to its fate, and vainly hoping that William would content himself with governing the southern provinces of the kingdom from Normandy. The duke cherished very different aims. After receiving the submission of Winchester, he had crossed the Thames at Wallingford, and gradually concentrated his troops in a cordon round the capital, so that neither provisions nor men could be taken into it. The Norman cavalry even skirmished near the walls, and burned the northern suburbs. The position was

¹ Sir F. Palgrave accepts this story, which was current as early at least as the thirteenth century (Thorne; *X Scriptores*, c. 1786) as a substantive truth. It is not improbable, as

William's forces were divided, and we know from their later fortunes that Stigand and Ægelsine had provoked his displeasure.

very much that of Paris in the times of the League, when Henry IV. invested it; and the French capital baffled its king by enduring the worst extremities of famine sooner than surrender. But no enthusiasm animated the Saxons, who were fighting for liberty; the citizens murmured at the prospect of famine; the nobles calculated the chances of war, and prepared for a great treachery. Ansgar, the ealdorman of the city, was honourably anxious to discharge his trust; but the gouty and wounded veteran could do nothing against the general resolution to treat. The deputy whom he sent to gain time by negotiations brought back assurances of the duke's good will to the people. William readily promised to hold by the ancient laws and confirm the old liberties. In particular, he pledged himself that the English law of succession by equal partition between the children should be preserved.¹ In return for this, the chief bishops and nobles, even Edgar Ætheling himself, did honour to the conqueror as their king. It was the last act of an Anglo-Saxon witan, and was fraught with unspeakable consequences to England. Henceforth, all opposition to William was treason. But the act of homage was soon interpreted retrospectively, as an admission that the conqueror's claim had been good from the first. This was in conformity to all continental notions of law; the recognition of a title by chief vassals could not be held to make it valid in feudal countries; it was only evidence of the right feeling of the peers. But it led in England to the assumption that all who had fought at Hastings against their liege-lord, perhaps all who had not actually assisted him, were guilty of felony. The lives and estates of men

¹ Munim. Gildh., vol. ii. pp. 246, 247, 504.

throughout the country were therefore at William's mercy, however their laws and liberties might be guaranteed. Neither Norman nor Englishman clearly foresaw these results. William himself cannot have anticipated them; the question for the time was not how to use power, but how to gain it. Aimeri of Thonars represented the feeling of the baronage when he said that even the prospect of increased honours and estates would not reconcile the Normans to their duke's elevation if it were not evidently demanded by political exigencies. The distinction between a lord who should govern in his own right, and one from whom they could appeal to the king of France, was obviously not in the subjects' favour. That Normandy would soon become a mere appanage of England was a danger too remote to trouble any man.

Christmas-day was chosen for the coronation. William walked through a guard of armed men to the abbey at Westminster, where Eldred of York had been appointed to officiate, as Stigand's doubtful title would have cast a taint of illegality over the proceedings.¹ The day of rejoicing was darkened by a tragedy. The shouts with which the English spectators declared their assent to their new king's nomination were mistaken by the Norman soldiers for the war-cry of an insurrection. A massacre of the unarmed bystanders avenged the supposed treachery; the neighbouring houses were set on fire; and the troops took advantage of the confusion to plunder the city. The Conqueror himself was unnerved

¹ The story of Stigand's refusal is highly improbable. He was factious and a time-server; he had already done homage to William; and he soon afterwards went as a guest to

the Norman court. William of Newbury, whom Thierry has followed, is no sufficient evidence for these times.

by the panic: he stood trembling in the almost deserted church; while the priests who remained hurried over the coronation service. It seemed a judgment of heaven that every step to the throne should be stained with blood.

William felt that his position was insecure, and commenced adding to the fortifications of London, while he built a castle at Winchester. Yet it seemed for a time as if his rule would be peaceable. The queen-dowager, Edith, remembering perhaps her old love for Tostig and feud with Harold, had given in an early adhesion to the new dynasty. The northern earls, Edwin and Morcar, proffered their allegiance, and found a cordial acceptance. It was the king's policy to connect his peers with himself, and he offered Edwin one of his own daughters to wife. Nor was there any question at first of rewarding the Norman nobles by a wholesale measure of confiscation. At a time when William's royalty was still only recognized in a part of England, the rights of property could not be lightly tampered with, and the Norman theory, from which William never departed, was that only those were to be disseized of their lands who had occupied them to the king's damage, or had tried to divest the king of his heritage.¹ Even Gytha,

¹ "Le Conqueror ne vient pas pour ouster eux qui avoient droiturell possession, mes de ouster eux que de leur tort avoient occupie ascun terre en desheritance del roy et son couronne." *Argumentum Anti-Normannicum*, p. 63. Joh. Shardelowe, unus Justic. de Banco, 16, Edw. III. quoted in Munford's *Domesday of Norfolk*, p. 62, note 1. Compare the *Dialogus de Scaccario* (lib. i. c. 10), "I marvel that the prince showed this mercy

to the conquered and distrusted English race as not only to keep unharmed the husbandmen, by whom agriculture might be practised, but to leave their farms and ample possessions to the very nobles of the realm." The interlocutor replies, that those who had not fought at Hastings, for whatever cause, retained their lands, under the new tenants-in-chief, but that as these often disregarded their titles it was

Harold's mother, seems to have retained her estates for more than a year, when at fresh troubles she fled with a vast treasure into Flanders. There is an instance on record where a church succeeded quietly to the lands of a military tenant who had fallen at Stamford Bridge, though the bearing arms for Harold might have been interpreted in a worse age as constructive treason against William.¹ In another instance the English sheriff of Berkshire took advantage of the general confusion to appropriate a royal manor, and the fraud was not detected till the Domesday survey.² Accordingly, the southern counties which were first occupied show a fair proportion of Saxon names among the tenants-in-chief twenty years later, and only the higher Norman nobility seems at first to have been rewarded with estates. These were obtained from sources more or less legitimate. The possessions of the crown under the Confessor had included more than fourteen hundred manors over England generally, and earl Godwin's immediate family, of whom all except Gytha and Edith had died, or were in rebellion, or were prisoners, had estates which may fairly be called regal in themselves.³ All, or most of all these, William kept as crown-lands, and they served to reward the

arranged that they should have new ones on the basis of the status quo." This, of course, is a general summary of the tenor of the reign, and is too strongly put for the first year of the conquest.

¹ Domesday Book, vol. i. f. 178, A.

² Domesday Book, vol. i. f. 61, A.

³ Thus in Devonshire, at the time of the Domesday survey, the king had nineteen manors, formerly king Edward's, returning £228 7s. 4d.: two

of uncertain acquisition, worth £32 1s.; four that had belonged to queen Edith, £108; seven that had belonged to Gytha, earl Godwin's widow, worth £187 8s.; fifteen that had belonged to Harold, worth £270 19s.; six that had belonged to Leofwin, Harold's brother, worth £75 2s.; and sixteen that had been Brictric's and given to Matilda, worth £175 12s.

inferior captains and soldiers. By the theory of Saxon government the ealdormanships of counties and towns carried with them ample endowments in land and fees, and these might be transferred by a new sovereign and his council, as offices among ourselves change hands with a new ministry. The vast possessions of Ansgar the Staller, who had provoked the special hatred of the Normans by what they called his treachery, passed from him probably under this pretence; and the family, which had made its fortunes under Canute, and successively lost and retrieved them under the Confessor,¹ seems now to have been hopelessly ruined. Where the Saxons lost, the Normans naturally gained; Sussex was mapped out in military districts under four great Norman barons; Kent was assigned to William's uterine brother, the bishop of Baieux; and William Fitz-Osbern, the king's most trusted counsellor, became earl of Hereford. In all these cases the dignity had been held by one of Godwin's family. There must also have been many lands confiscated for their owners' share in the battle of Hastings, and some that lapsed where the owners had been killed. As rebellions multiplied these sources of the royal bounty increased, and fresh favourites and adventurers were promoted. But the settlement of England was very gradual, and the number claiming reward cannot have been great at first. Common soldiers had been satiated with the sack of cities; nobles and knights were few and under stern control; it even seems that partial restitution was made of the property plundered by Harold from the Church.²

¹ De Invent. Sanct. Crucis, c. 14.

² "Istud Manerium et Sture abstulerat comes Heraldus Sanctæ Mariæ, T. R. E. sed W. Rex eam fecit resaisiri quia in ipsa ecclesia

inventâ est brevis cum sigillo R. E. præcipiens ut ecclesiæ restituerentur." Domesday Book, vol. i. f. 79, A. For another instance, see f. 121, B.

By Easter (A. D. 1067) William thought he could return safely to Normandy. He was possessed of immense treasure, for the spoils of Stamford Bridge had been found undivided,¹ and so great at that time was the wealth of England and its exchequer, that, without levying tribute, or plundering, the king was able to carry back with him as much silver and gold as, men said, could be seen in all France.² It was of political importance to let the full measure of the late success be known. A number of English nobles swelled his train; among them were Edgar Ætheling himself, the two northern earls, Edwin and Morcar, Waltheof, Ægelnoth of Kent, and the primate Stigand, who for a while had laid aside his rôle of patriot. But they found themselves hostages rather than councillors; they graced a triumph rather than a court; and their presence did not prevent the insulting parade of the plundered English wealth and the captured ensigns. The litanies in Norman churches, the joy of the Norman people, must have stung the very souls of men who had been deaf to honour, but who were not dead to shame.

William's viceroys during his absence were his own half-brother Eudes, bishop of Bayeux, and the senechal William Fitz-Osbern. Under these men, the natural insolence of a foreign soldiery was encouraged or allowed. The people of Kent were now anxious to undo their submission, and, in default of a native leader, invited Eustace of Boulogne, who had quarrelled with the Conqueror, to head their rebellion. But Eustace was beaten back by the Norman troops when he attempted to seize Dover, and soon afterwards made peace

¹ Adam Bremens, Schol. 66, quoted by Lappenberg, Eng. Gesch., Band ii. s. 69.

² Gul. Pict., p. 153.

separately with the king. The people of Exeter were more fortunate. They had quarrelled with some foreign troops, and, fearing William's vengeance, fortified their town. The king, whom the news of disaffection had recalled, marched hastily into the west with a well-appointed army, when the citizens offered to pay tribute, but refused to admit a garrison. William replied that he would not treat with subjects. At first it seemed as if the sight of a Norman army before the walls had subdued the courage of the insurgents: the corporation came out to offer submission, and gave hostages. But the citizens indignantly repudiated the cowardly act of their magistrates. The Normans found the gates closed against them; the blinding of a hostage before the walls only heightened the patriotic resolve of the inhabitants; and for eighteen days Exeter withstood the repeated attacks of the Norman army. At the end of that time each party had learned to respect the other; and Exeter obtained terms which left the king the prestige of victory while they secured the inhabitants from outrage. The Norman troops were not suffered to enter the town, which retained its customs and corporate property.¹ But the king carried his point of building a castle, of which a Norman, Baldwin de Meules, was made governor. This policy, at once vigorous and merciful, produced its natural results. Next year the sons of Harold came over from Ireland, and called upon the burghers of Bristol and the men of Somersetshire to rise. They rose under a Saxon, Eadnoth, who had been Harold's master of the horse,²

¹ Orderic, vol. ii. pp. 180, 181.
 Consuet. Civit., Gale, iii. p. 762.

² Sir F. Palgrave says, "If any
 could claim possession for his heirs

or next of kin, supposing they were
 not strictly heirs, it should have been
 Eadnoth . . . yet all the domains of
 this great thane were divided amongst

but it was to win a battle for the Norman king. A second attempt in Exeter (A. D. 1069) was repulsed after two days' fighting, and the sons of Harold—attacked wherever they landed, and almost all their followers slain—retired, disheartened, to Norway, where Skule, the son of Tostig, had founded a patrician family, and from which their own race was destined to cross the Baltic and mix its blood with Russian royalty.¹

But the causes of insurrection were too deep-seated and universal to be easily removed. Under no circumstances could the English have acquiesced in the presence of foreigners who monopolized office and dignity. The mere change from a weak to a strong government was a sufficient motive for revolt in the less settled western and northern provinces.² Under Edward every man had done as seemed good in his own eyes; under William all offences against the peace were punished

the Conqueror's Norman followers." *Hist. of England and Normandy*, vol. iii. p. 441.

This must be largely qualified. The only manor entered in Domesday as Eadnoth Stalre's was Shippen in Berkshire, which at the time of the Survey was possessed by the Monastery of Abingdon. As the monks of Abingdon are among the few who complain of illtreatment, it is possible that this came to them by law, a lease of lives having expired, or restitution being made. Numerous other manors, entered, as formerly, "Ednoth's," probably belonged in many cases, but we cannot say in which, to this nobleman. Eadnoth, however, had a son, Harding, who was a tenant-in-chief or king's thane in Somersetshire at the time of the Survey, owning six manors of the value of £10. *Domesday*, vol. i. f. 99, A. A Harding also appears in Domesday

owning land in Wilts, Somerset, Oxon, and Suffolk; in the two former cases he had held the same lands under Edward the Confessor. Ellis, *Introduction to Domesday*, vol. ii. p. 335. The probability is therefore that Eadnoth's offices and the lands annexed to them went to Normans, but that his patrimonial estate passed quietly to his son. Malmesbury says he was more a talker than a soldier. *Lib. iii. p. 429.*

¹ Worsaae's *Danes in England*, p. 147. Gytha, Harold's daughter, married Waldemar, czar of Russia. Lappenberg, *Eng. Gesch.*, Band i. s. 557.

² "Occidentem aut plagam septentrionalem versus effrenis adhuc ferocia superbiebat, et Angliæ regi nisi ad libitum suum famulari sub rege Edwardo aliisque prioribus olim despexerat." *Orderic*, vol. ii. p. 179.

with new and stringent penalties. That the fitted by the fines of justice, and by the land cheated to him, is obvious; but he did not as from polity and the love of money. William had regard for law; his sense of order was offended by irregularity; and he looked on the right of feudal treason to the crown. In the military Welsh and in Northumbria, which was half-Danish, they speedily rose in arms to defend their constitutional right of anarchy. Copsi, the English viceroy of Northumbria beyond Tyne, was attacked by an officer noble, and killed at the door of a church, where he had taken refuge. William was equal to the emergency. He marched north so rapidly that the insurrection had no time to gather strength. At Oxford, which relied on the strength of its walls, a gross insult from one of the burghers inflamed the king's ungovernable passions; the town was taken by assault, and out of seven hundred and twenty-one houses four hundred and seventy-eight were given to the flames. At Warwick and Nottingham William secured his rear by fortresses. His great and easy success south of the Humber makes it probable that the country people, weary of their native lords, and recognizing his title as legitimate, often brought him intelligence, and perhaps swelled his ranks.¹ The cities, which had been privileged, and the Danish districts, which had been free, had more to lose by submitting to foreign dominion. But the hopelessness of a rebellion without concert was soon seen. Edwin and Morcar, who had been in arms,

¹ In a fragment on the Conception of the Virgin, ascribed, though on insufficient authority, to Anselm, William is said to have sent Elsi,

abbot of Ramsey, to Denmark as a spy. *Aurea Legenda*, c. 189. Elsi's visit to Denmark is mentioned in *Domesday Book*, vol. i. f. 208.

now made their peace, and received a distrustful pardon. The king followed up his victories. A great battle on the banks of the Humber opened the gates of York ; and the chief nobles of the north took refuge in Scotland, where king Malcolm protected them. But the Normans exaggerated their success, and pushed forward a detachment under Robert Comine to occupy Durham. The very night of their arrival the foreign soldiers, some seven hundred strong, were cut to pieces by a rising of the country. The invaders were dispirited, and the Northumbrians applied to Denmark for support in the war which had been so hopefully commenced. A Danish fleet of more than two hundred ships, under Sven's own brother and sons, entered the Humber, having been repulsed everywhere along the coast,¹ while the earls led down the exiles and their Gaelic allies from the Lothians. The united armies set siege to York. In a few days it was known that they, or the Normans, had burned the town, and that the garrison, many hundred in number, had been massacred. The storm had been accompanied with incidents of ferocious cruelty. The earl Waltheof had stationed himself at a gate of the city and cut down the fugitives as they fled.² The Normans were long since weary of this interminable strife, which brought with it no rewards. The savages of the north, as they called the Anglo-Danes, were waging no common war ; many of them had sworn that they would never sleep under a roof till the stranger was expelled. Several of William's followers, among them the earl of Worcestershire, Hugh de Grente-

¹ From Dover, Sandwich, Ipswich, and Norwich. Orderic, vol. ii. p. 191.

² Thierry's view, which refers this exploit to the first and English storm

of the town, seems more probable than Lappenberg's, which places it at the second occupation by William. The fact of any defence against William's army is doubtful.

Maisnil, had been recalled by their wives from service in England, the ladies of Normandy threatening to take other husbands if their first remained longer absent.¹ William himself, a year before, had sent back his queen, for whom England was now not a safe residence. The danger, which seemed to pass away with the first capture of York, re-appeared more menacingly than before when that city was retaken.

But William confronted and overcame the danger, though the northern revolt was complicated with risings in the south and west. The Cornish and Welsh allies whom the insurgents drew into their ranks rather harmed than aided the cause; Exeter defended its walls against its terrible friends, and it was relieved by the militias of London, Winchester, and Salisbury, under the bishop of Coutances. Shrewsbury, where the citizens made common cause with Eadric the Wild against their Norman garrison, was burned by the rebels on the approach of a relieving force, and the borderers dispersed among the Welsh hills. Meanwhile the king advanced by slow marches to the north. The crown and royal robes followed him from Winchester, and he celebrated Christmas in peaceful state. When the Danes had spent their first fury, and plundered the country they came to defend, their prince, Aasbiörn, was induced, by a sum of money and permission to plunder the coasts, to set sail without giving battle to the Normans. He was afterwards outlawed in his own country for this dishonourable conduct; but by that time the fate of England had been decided. Deserted by their

¹ Orderic adds that William never pardoned those who left him thus, so far as to restore them their dignities. Yet Hugh de Grente-Maisnil appears in Domesday richly endowed, and his wife was one of the few

ladies privileged to hold manors. Orderic, vol. ii. p. 186, note by M. le Prevost. Probably the story has been a little embellished from classical traditions.

allies, and weakened by the loss of stragglers who had scattered to their own homes after the storm of York, the Northumbrians lost heart, and offered no resistance; their army withdrew into Scotland. The king took a terrible revenge. Marching from the Humber to the Tyne, he laid waste the country in every direction as far as his army could scour it. The corn and meat brought in from the villages were stored in houses, which were fired. On the road from York to Durham no inhabited village could be seen. Out of sixty-two villages in Amunderness, only sixteen retained any inhabitants. The wretched peasantry whom the sword spared, perished in the famine of nine years' continuance which succeeded the Conqueror's progress; many sold themselves as slaves to procure food; the happiest were those who early wandered away to find a home in a foreign land. To complete their ruin, Malcolm of Scotland, no longer regarding them as allies since they had submitted, swept with his savage Highlanders and Galwegians through the yet undesolated districts on the western coast. The Scotch, infuriated by the news that Cospatric, William's appointed ealdorman of Northumbria, had harried Malcolm's recent possessions in Cumberland, did the work of plunder and death even more pitilessly than the Normans. The old were slain, the able-bodied carried off as slaves into every part of Scotland. Sixteen years later the value of land in Yorkshire was still only about a fourth of what it had been under the Confessor, and the population perhaps only a third.¹ Henceforth William had nothing to fear

¹ The king's lands in the district of York, which included Wakefield and Driffield, had sunk from £485 2s. to £38 9s.; but in the three Ridings the decrease, where noted, was only

from £136 16s. to £134 7s. I know not where Orderic got his estimate, that more than one hundred thousand perished in England of the famine caused by the war, but it was prob-

from the north; a desert lay between himself and the Scotch king.¹ But he tempered his vengeance with policy, and bought off his last formidable opponent, Waltheof, by marrying him to his half-sister, Judith, and by granting him the earldoms of Northampton and Huntingdon.

From this period the position which William occupied with regard to his new subjects was changed. The constitutional fiction by which his title was derived from the people's consent could not stand against the fact of repeated rebellions. The battle of Hastings was no longer a solitary event by which England had been delivered from a usurper; it was the first in a series of campaigns, which had ended in the subjugation of a free people. It is assuredly no accident that we find William, after ravaging the north, causing himself to be crowned again by the papal legates (A. D. 1071.)² It is possible that in one charter he styled himself "king by the edge of the sword,"³ though his usual style is "by

ably from some crude guess. The Domesday of Yorkshire, which is not exhaustive, ("e.g. ex his (villis ad Prestune) xvi a paucis incoluntur sed quot sint ignoratur" f. 302, A.), knows of eight thousand and fifty-five males left in Yorkshire, so that we may assign it a population of from forty to fifty thousand. Assuming as many to have escaped, or been enslaved by the Scots, or to have migrated south, this would already give Yorkshire a population of nearly one hundred thousand; the largest known population of any English county being that of Norfolk (twenty-seven thousand and eighty-seven males), which nearly doubled its rental under the Conqueror. Even including the

sufferers in all the northern counties from the Normans, the Scotch, and the famine, a hundred thousand would be an enormous estimate.

¹ To make this was probably one deliberate object of his cruelties. The Domesday of Lincoln, which contains a large proportion of Anglo-Danish names, proves that William's power was never so firmly established in the north as in the south.

² Orderic, vol. ii. p. 199.

³ This charter, which Thierry quotes from Hickee, has not been reprinted by the last editors of Rymer's *Fœdera*. I conclude, therefore, they consider it spurious. Out of twelve legal documents which they

the grace or gift of God." But in dealing with questions of English law and liberty he was even timidly conservative. His statesmanlike instincts told him that the laws of the different provinces ought to be codified, and he proposed to take the Anglian and Northumbrian practice, as most kin to the Norman, into general use. But the English murmured at the thought of change, and William unfortunately gave way, to the great loss of the serfs in the Saxon counties.¹ There can be little doubt that the judges were commonly Normans, who, perhaps, had English assessors, but Latin was the official language of the courts for more than a century.² In the course of some seven years five Englishmen, whom William had retained or appointed ealdormen, took active part in rebellions against him, and two others were killed by their countrymen. Thenceforward William appointed none but Normans. Among the prelates two were deprived for rebellion, two for uncanonical marriages, and one for an unknown cause, and, it is said, unjustly. The vacancies were filled up by the appointment of foreigners. Yet the Church had no reason to complain, and not only were its estates increased by large donations from Norman piety, but its old lands generally increased in rental under the conquest. To restrain assassinations a heavier fine was imposed where the victim was a Norman; but in every other respect Norman and English were equal before

give, seven style William "king by the grace or gift of God;" one adds, "by hereditary right;" the other five say simply, "king of England," or "of the English."

¹ Hovenden, Savile, p. 346; A. S. Laws, vol. i. pp. xi. xii. note. Compare such statements as the following:

"Modo habet rex civitatem Hereford in dominio, et Anglici burgenses ibi manentes habent suas priores consuetudines." Cons. Civit., Gale, vol. iii. p. 764.

² Foss, Judges of England, vol. i. pp. 9, 10.

the law, and might each claim to be tried by the customs of his country.¹ The great wrong of the conquered gentry was that several thousand armed foreigners were quartered, so to speak, on the original holdings, whose owners became their tenants, or were driven out. This re-settlement of the country was effected gradually; and mostly took place in the fifteen years between William's second coronation and the completion of Domesday Book (A. D. 1086). Considering the disturbed state of England, it must have been easy to find reasons which a Norman court would consider good for ejecting any Englishman. Yet there is a sprinkling of English names among the less important tenants-in-chief, especially in the counties which remained quiet.² Even Harold's followers were in some cases allowed to retain their holdings. Sometimes an English origin is disguised by the territorial titles which Norman custom introduced among the upper classes,³ and which the new men whom William promoted would no doubt affect. In the second order of tenants, the small gentry, more than half were Englishmen when Domesday Book was compiled. Out of the many thousand manors into which the country was divided, we may safely assume that the greater number were occupied by natives, though almost all owed service to a Norman.

But the misfortune of the English was not that the laws were suppressed or changed for the worse, but

¹ *Leges Gul. Conq.*, ii. 1-3; *A. S. Laws*, vol. i. p. 488. Foreigners settled in the country before the conquest were to be treated as English. As these men were mostly Normans (*Francigenæ*), the law shows that the position of Englishmen was not invidious. *Leges Gul. Conq.*, iii. 4; *A. S. Laws*, vol. i. p. 491.

² Aldred, in Sussex; Waleran, Croch, Alfred, Godric, in Hampshire; Sweyn, the sheriff of Oxfordshire, &c. *Kelham's Domesday*.

³ *Morgan's England under the Normans*, pp. 1, 2. *Munford's Domesday of Norfolk*, pp. 61, 62. *Gul. Pict.*, p. 148. For the fate of the higher English nobility, see Appendix C.

that the local administration of justice was now in the hands of the great lords, who were Normans, and favoured all the oppressions of their retainers.¹ An appeal, of course, lay to the king, but it was not easy for William, even if he wished it, to resist the influences of his court. Often he was legally justified in placing a new bidder over the head of an old tenant; and the king's worst vice was avarice. The very number of complaints brought before him was an impediment to justice; William was wearied out, and ordered the litigants to compromise their respective claims;² the result of course being, that any man who could set up a title, and who was backed by a little interest, got half of his neighbour's estate. This was no new grievance in England, where Godwin and Harold had acquired much of their enormous property unjustly, but men felt their wrongs more keenly when the spoiler was a foreigner, and the multitude of oppressors was increased ten-fold. The loss of land carried with it the loss of rank: the impoverished thanes became yeomen; the ceorls, serfs. Nor was personal property respected in time of war, and when the vessels of the altar were confiscated, it could scarcely be hoped that the treasures which private men had placed in the churches as in asylums would be spared. But a wanton and licentious soldiery can inflict worse wrongs than plunder. Where William commanded in person women were safe from insult, and strict order was kept against drunkenness among the

¹ William Fitz-Osbern reduced the legal fine paid by soldiers for grave offences from twenty or twenty-five shillings to seven shillings, in his county of Hereford. Malmesbury, lib. iii. p. 431. This is, perhaps, the strongest case on record of

tampering with the laws to favour crime. Hugh of Chester, from his passion for the chase, "*terram suam quotidie devastabat.*" Orderic, tom. ii. p. 219.

² Lingard, vol. ii. p. 40.

troops.¹ But we cannot assume this of his followers. For several years there were wars in distant parts, and the country was traversed by men to whom no licence was forbidden. At the end of the campaign, grooms and varlets had frequently risen to be estated gentlemen, and they treated the conquered people with coarseness, and often with violence. Yet the Conqueror's love of legality produced one good effect: the English women were in request as wives to confirm their husband's titles; and the way was thus prepared for a fusion of nationalities.²

Among the English men-at-arms some wandered into foreign countries; a few took service in Constantinople, where they reinforced the well-known Varangian bodyguards, and did good service against the Norman conquerors of Naples.³ Many took refuge in the fen-countries, and maintained a guerilla war with the neighbouring Normanized counties. This at one time threatened to assume national proportions. Hereward, a gentleman of Lincolnshire, had been outlawed under the Confessor for riotous conduct and violence to his father, Leofric,⁴ and was living in Flanders when he heard

¹ Gul. Pict., p. 147.

² Orderic's strong words: "*No-biles puellæ despicabilium ludibrio arnigerorum patebant*," can only apply to times of war, or must be interpreted to mean that ladies were forced to marry below their rank. The Saxon Chronicle praises the excellent order which William maintained. *A. S. Chron.*, A. 1085. Compare *Leges Gul. Conq.*, i. 18; *A. S. Laws*, vol. i. p. 475. Instances of intermarriages occur in *Domesday Book*. "Robert d'Oyley married the daughter of Wigot, and so became

tenant of her father's barony." "A young man named Richard married the widow of the sheriff of Gloucester, and so became a landed gentleman." *Morgan's England under the Normans*, p. 5. In this latter case, wife and land were given by the king. *Domesday*, 167, a. 2.

³ "Ce corps de Varengues existait à Constantinople dès le règne de Michel le Paphlagonien" (*A. D.* 1034-1041). Orderic, vol. ii. p. 173, note by M. le Prevost.

⁴ Dugdale and Sir F. Palgrave follow the later legend in identifying

that Leofric was dead, his estate given to a Norman, and the widow, Hereward's mother, denied her dower. The exile at once returned, and gathering a troop of men-at-arms, drove the Norman from his inheritance. Brand, abbot of Peterborough, and Hereward's uncle, consecrated the adventurer knight, and he became the foremost captain in an army which was swelled for a time by the presence of Edwin and Morcar, and of Ægelwine, bishop of Durham. Had the Danes cared for anything but plunder they might yet have retrieved England, for when a new fleet under Sven appeared off the coast, the people flocked to join them, and Hereward tried to purchase their support by the plunder of Peterborough, where a Norman, abbot Turolð, had succeeded Brand. The whole monastery and the whole town, except one house, perished in the flames, which the terrible allies kindled, and the golden crown of the crucifix, silver crosses, vestments, and books, rewarded the sacrilege.¹ Taillebois, viscount of Spalding, and abbot Turolð, soldier as well as churchman, were powerless to hold their own against the English, and Turolð, captured, was forced to ransom himself. William was compelled to march north with an army. He bought off Sven; and having failed in a first attempt to pass

this Leofric with the ealdorman of Mercia (Dugdale on Embanking and Fens, p. 185. Palgrave's Hist. of England and Normandy, vol. iii. p. 463). There are several reasons against it. Hereward is represented by Ingulfus, who is at least as ancient as any other authority on the subject, as the son of Leofric of Brunne, and of Ediva, and as hearing of his father's death some years after the Conquest. Now, Leofric of Mer-

cia died some years before. Again, the countess Godeva, of Mercia, so far from being badly treated, was one of the few English ladies who retained her lands. Brand, Hereward's uncle, is not known to have belonged to Leofric of Mercia's family. Above all, no contemporary historian ever speaks of Hereward as a man of the highest rank, or as Leofric of Mercia's son.

¹ A. S. Chron., A. 1070.

the marshes on a raft, constructed a causeway two miles in length, and inclosed the defenders of Ely, where the war was now concentrated in fortified lines. The monks of Ely are said to have opened their gates treacherously, but it seems unlikely that the war could have been protracted. Morcar, by one account, had already been enticed into the king's power, and was in prison, where he ended his days. Edwin had been assassinated as he tried to fly the country; and William shed the only tears recorded of him over the young and beautiful man he had learned to love. Hereward alone was a mere captain of banditti, distrusted by churchmen, and with no hold on the country. He escaped, and after maintaining a guerilla warfare for a time, was admitted to the king's peace,¹ and finally fell in a brawl with Norman men-at-arms. In the absence of better heroes, English romance dwelt lovingly on his exploits, and his enemies did justice to his courage and enterprise. Had there been three such in England, said a Norman poet, William could never have come there; and had Hereward lived he would have driven out the invaders.

William was now at leisure to renew the English claim of supremacy over Scotland. It was a matter of some importance, as Malcolm Canmore had married the sister of Edgar Ætheling, had harboured the Northumbrian exiles, and devastated the northern counties. A

¹ If he was persuaded to make peace by the noble Ealhswitha, who "loved him for the dangers he had borne," she must have been his second wife, as his first was named Thurfrida (Ingulf., Gale, vol. i. p. 70), and he is said, in the account followed by Dugdale, to have been slain by his son-in-law, the Norman

Hugh of Evermue, lord of Deping. Dugdale on Embanking, p. 191. But, in fact, the stories of Hereward disguising himself as a serving-man to get into William's camp, of the Normans employing a witch against him, &c, are romances without the smallest pretension to be called history.

short campaign was sufficient. The Norman army had penetrated to Abernethy on the Tay, when the Scotch king, convinced of his inability to resist, consented to render homage and give hostages (A. D. 1072). The promise was faithfully kept during the reign of the Conqueror. William was now able to leave England for the continent, where the people of Maine had risen against the Norman yoke. The Conqueror's army was chiefly composed of Englishmen, who revenged the wrongs of their country on the innocent province of Maine, slaying and laying waste unsparingly (A. D. 1073). Meanwhile an insurrection broke out in England, which showed that royalty had other enemies than national feeling. It was part of William's policy to restrict all intermarriages between the great nobles. In spite of a distinct prohibition, Roger de Breteuil, earl of Hereford, and son of William Fitz-Osbern, who had been the king's most trusted minister, took advantage of the weakness of government, and married his sister Emma to Raoul de Gael, the earl of Norfolk, a grand-nephew of the late king. The wedding guests, heated with wine, began to discuss their grievances and the prospects of a rebellion. They had placed William the bastard on the throne; he had only rewarded them with lands desolated by war; and even these were often reclaimed or curtailed by the ministers of the crown. The men who had spent their blood for him received no favour at his hands, and were liable to suffer the full penalties of the law for slight causes.¹ Let them only rise in revolt while the army was occupied: though the English would not desert their fields and feasts to help

¹ "Pro frivolis occasionibus ad mortem usque velut hostes punit." Orderic, vol. ii. p. 260.

in a revolt, they would gladly witness its success. Animated by these hopes, the earls invited Waltheof to join their conspiracy, and share in its fruits: England was to be divided, as of old, between a king and two dukes. Waltheof held back; it is doubtful whether he shrunk from rebellion or stipulated for obtaining support from Denmark. Danish aid seems in fact to have been applied for, but before it could arrive the rebellion was crushed. It had broken out in the counties of the two earls, Norfolk and Hereford. The king's viceroy, Lanfranc, archbishop of Canterbury, was a man of consummate ability. "We should rejoice to see you as an angel of God," he wrote to William, when the rebellion first broke out; "but we do not wish you to cross the sea at present, for it were a great shame to us, if you should come over, to conquer such perjured men and brigands." The next letter announced that the insurrection had been crushed in detail. The primate had excommunicated the rebels, and the bishops of Coutances and Bayeux surprised and defeated Raoul's army near Swaffham. With detestable barbarity, the Normans cut off the right feet of all their prisoners, as a sign by which they might be known. The count escaped to Denmark, and his wife, after a short siege in Norwich, compounded to fly the country with their Breton followers. In the west, two English churchmen, bishop Wulfstan of Worcester, and Ægelwi, abbot of Evesham, raised the country against Roger de Breteuil, who was starved out of Hereford castle, and condemned by his peers to imprisonment. He would soon have been pardoned but for his own obstinacy. Having received at Easter the customary present of a rich dress from the king, he made a fire in his prison and cast the silk tunic and ermine mantle into the flames. William

swore "by the splendour of God" that he would never let him loose, and William never broke a vow of vengeance. The saddest fate of all was reserved for Waltheof. Denounced for conspiring with the Danes by his treacherous wife Judith, he was condemned by his peers on the other count of concealing treason against his suzerain. William was by this time thoroughly embittered against his English subjects, and had every political reason for destroying a powerful noble like Waltheof. The earl was therefore beheaded (A. D. 1075) after a year's imprisonment. The piety of his last days edified the devout who heard that he recited the psalter daily, and died saying the Lord's Prayer. Above all, he was the last great English earl, and his countrymen, when they could not follow him as a leader, revered him as a saint. Yet the one memorable act of his later life had been the cowardly assassination of four brothers, who had been his own comrades in arms, but whose father had slain his grandfather in battle.

The tedious tale of English risings and their suppression has only one other important episode. Walcher, a native of Lorraine, had been appointed bishop of Durham; he seems to have been an easy, well-meaning man, who guided himself by the councils of Liulf, a native of those parts. The jealousy of the bishop's chaplain, Leofwine, was aroused, and he procured Liulf's murder by the aid of the sheriff Gilbert, Walcher's nephew (A. D. 1080). The bishop professed to outlaw the assassins, but received them into his house and tried to compromise matters with Liulf's kindred. The people assembled as if for the scir-gemot, slew all the Normans they could find, drove the rest into a church, and set fire to the doors. The besieged sent out Gilbert and his soldiers, who were instantly despatched. The bishop then

appeared at the doors, hoping to conciliate respect by his character and office. "Short rede, good rede, slay ye the bishop," was the cry; Walcher fell on the consecrated threshold, and not one of his company escaped, except the Englishmen, who were saved on account of their connections. The wretched Leofwine, probably also an Englishman, dragged himself, half burned, to the doors, and was the last victim. The Norman misrule in the north was still tempered by rebellions. But William's brother and viceroy, the bishop of Bayeux, took a speedy and sharp vengeance for the crime. He marched northwards, mutilating and beheading at random on his way, and renewed the horrors that had made Northumbria a desert ten years before.

CHAPTER XXIII.

RESULTS OF THE CONQUEST.

COMPILATION OF DOMESDAY BOOK. ITS USE. OMISSIONS. NUMBERS AND CONDITION OF THE POPULATION. SOCIAL AND MATERIAL ADVANCE UNDER WILLIAM'S GOVERNMENT. SMALL AMOUNT OF THE FOREIGN ELEMENT INTRODUCED. LEGAL CHARACTER OF THE CHANGES MADE. THE CHURCH HIERARCHY AND RITUAL NORMANIZED. THURSTAN. GUITMUND. LIMITATION OF THE POWERS OF THE CHURCH. NORMAN INFLUENCES ON POLICE AND LAW. DISTINCTION OF ANGLE AND SAXON EFFACED. CONTRASTS OF NORMAN AND SAXON CHARACTER.

IN the year A. D. 1085, William was alarmed by the news of a joint invasion from Denmark and Flanders. An army was hastily brought over from Normandy, and quartered throughout England; the numbers were greater than had ever landed before; perhaps the king apprehended rebellion. In a few months the danger had passed away; Knut was detained by contrary winds and the treason of his captains, so that William was able to dismiss a portion of his force. But as it was not to be endured that such a kingdom as England should lie at the mercy of any foreign foe, the king determined in council on a new military organization, which should enable him to collect an army at a moment's notice. As land was the basis of all calculations of this sort, commissioners were appointed for different counties to make

a census of population and property.¹ Their method of procedure was to summon before them the sheriffs, the lords of manors, the parish priests, the hundred reeves, the bailiffs, and six villeins out of every hamlet. These men stated on oath what amount of land there was in the district, whether it was wood, meadow, or pasture, what was its value, what services were due from its owners; and generally the numbers of free and bond on the estate. In some instances, other particulars were inserted, such as the number of live stock, which the transcribers struck out or retained, without any fixed rule, in the summary made for the crown. The English, unaccustomed to a census, murmured at the prospect of more accurate taxation, and their chroniclers thought it "shameful to tell" what "the king had thought it no shame to do."² Yet the accurate definitions of land in Anglo-Saxon charters must have familiarized the people with these inquiries on a small scale; and the registries of the county courts, and the old conveyances of property, in which husbandmen and live stock were sometimes enumerated, were perhaps part of the evidence which came before the commissioners. The mere existence of hundreds and tithings is further proof that the people did not live without boundaries or legal divisions before their conquest by William. The idea of Domesday Book, if it had any precedent, was probably derived from the customs of England rather than from those of Normandy. But its true cause lies in the necessities of a new government and of difficult times. It served for centu-

¹ That the same men were not commissioners for all England is proved by a letter of Lanfranc's: "G . . . amico suo. Scias autem in illis comitatibus quorum exquirendorum cura tibi commissa est me

nihil in dominio habere." Lanfr. Opera, vol. i. p. 77. The eastern counties seem to be meant.

² Ellis, Introduction to Domesday, p. vii. A. S. Chron., A. 1085.

ries as the basis of all taxation, and the authority by which all disputes about landed tenures and customs were decided.

The statement of an early historian¹ that William could summon sixty thousand men to arms, if need were, must not be taken to mean that sixty thousand knights or men-at-arms were quartered on as many military fees. The knights' fees in the counties south of Thames numbered little more than two thousand a century later, when the number was probably greater than under the Conqueror;² and nine thousand for all England would be a large estimate at any time in the twelfth century. But it is quite possible that the disposable force of the realm, archers and other light-armed men included, might vaguely be computed at some number like sixty thousand. The tenants-in-chief were directly responsible for the service of the heavy-armed men, who were considered the great strength of an army; but it lay with themselves whether they would keep their legal quota always at hand. The bishop of Lincoln, who owed a service of sixty men-at-arms, had enfeoffed a hundred and three under Henry II; and the bishop of Durham, who owed for ten, had enfeoffed seventy. On the other hand, Radulf Hansel, of Nottinghamshire, had enfeoffed about seventeen, owing for

¹ Orderic, vol. ii. p. 224.

² My estimate from the ten counties south of Thames and Avon, as given in the *Liber Niger Scaccarii*, is 2047. These counties probably contained rather more than a fourth of the population of England, but allowance must be made for the knights on crown lands (king's thanes) who seem not to be entered. The statement ascribed to Stephen de Segrave, in the *Annales de Burton* (p. 364), that the old scutage of the

kingdom was assessed on 32,000 fees, and that a new assessment would embrace double the number, must be understood of hides, five of which might be roughly estimated as a knight's fee. In fact as the hidage of England can hardly have reached 100,000 (see Appendix B), it is easily demonstrable that even the smaller number of 32,000 is impossible—or, if barely possible, would leave no land out of military service.

twenty-five. Robert of Albeni, in Bedfordshire, owing for the same number, had enfeoffed only twelve.¹ These are fairly typical instances, and the reason of the discrepancy is not that churchmen or church corporations were more warlike than the barons, but that it was an object for churchmen to protect themselves by numerous military dependants, while barons preferred the profit of keeping a large demesne in their own hands, and made up their quota from men in their household service or chance recruits. The State did not trouble itself with details, but preferred to treat its immediate feudatories as contractors for men of arms.

In estimating the population of England, it must be borne in mind that Domesday Book is not an exhaustive statement. The three northern counties, and parts of Westmoreland, Lancashire, and Monmouthshire, were not included in the survey. The north was still desolate and scarcely conquered; Monmouthshire was Welsh. This omission is unimportant, as it would be easy to calculate averages for these districts. But there are other incompletenesses.² London and Winchester, and some smaller places, such as Devizes and Marlborough, are not mentioned at all; Bristol, which possessed a large trade, is, for some unknown reason, almost passed over; and abbeyes, castles, and their respective liberties, are sometimes either unnoticed or imperfectly described.³

¹ *Liber Niger Scac.*, pp. 202, 223, 260, 306.

² See the Report on the Dignity of a Peer, pp. 25, 26.

³ Ellis, *Introduction to Domesday*, vol. i. pp. 35, 36; Morgan's *England under the Normans*, pp. 160, 161. Under Canute London paid £10,800 towards the Dane-geld, the rest of England paying 72,000 (*Flor. Wig.*,

vol. i. p. 182). At this time, according to Guy of Amiens (p. 45), it was alone richer than the rest of the kingdom. Fifty years later, it was able, according to Fitz-Stephen, to furnish 60,000 men-at-arms and 20,000 knights. *Vita S. Thomæ*, pp. 173, 174. This estimate must be excessive, but William of Newbury says (vol. ii. p. 176) that 52,000

The reason of these omissions is unknown; in some cases, perhaps, a separate record was made, but has been lost; in one instance we are told that the commissioners favoured a monastery by rating its possessions below their value and acreage. Although there were more than four thousand churches in England at this period, less than sixteen hundred ecclesiastics are enumerated, and out of these only one thousand are entered as parish priests.¹ These deductions from the completeness of the returns are the more important, because it is probable that they chiefly affect the middle classes—that is, the men, who, like priests and citizens in towns, had no necessary connection with land as the owners of freehold property, or as bound down to the soil. The population actually given is 283,342; this, of course, consists only of able-bodied men, and multiplied by five would show a general result of about 1,400,000. Allowing for all omissions, we may probably place it at rather over than under 1,800,000; a number which may seem small, but which was not doubled till the reign of Charles II, six hundred years later. Reverting to the actual survey, we find about two thousand persons who held immediately of the king (E 1400, M 1599),² or who were attached to the king's person (M 326), or who had

citizens gave in their names to the demagogue, Fitz-Osbert; and Wendover says that 20,000 armed men set out to apprehend Hubert de Burgh.

¹ Selden sets the number of churches at 4511; Dr. Inet reckons them at about 4000. Munford's *Domesday of Norfolk*, p. 80. Sir H. Ellis says:—"The whole number actually noticed in the survey amounts to a few more than 1700. . . . The circumstance of presbyteri occurring most frequently in counties where

scarcely any ecclesiæ are noticed, gives strength to the presumption that the officers of the exchequer who abridged the returns, considered the entry of the one as in most cases implying the existence of the other." *Introduction to Domesday*, vol. i. pp. 287, 289.

² The letters E and M indicate the different estimates of Sir H. Ellis and Sir J. Mackintosh. I have omitted small sub-divisions from each statement.

no holding, but were free to serve as they would (M 213). The second class, the free upon bond-land, comprised more than 50,000; under-tenants or vavasors (E 7871, M 2899); burghers (E 7968, M 17,105); soc-men (E 23,072, M 23,404); freemen, holding by military service, or having been degraded into tenants to obtain protection (E 14,284); and ecclesiastics (E 994, M 1564). The largest class of all was the semi-servile. Of these villeins (E 108,407, M 102,704), and bordars, or cottiers (E 88,922, M 80,320), make up the mass, about 200,000 in all. They were bond upon bond-land, that is to say, their land owed a certain tribute to its owner, and they owed certain services to the land; they could not quit it without permission from their lord. But they were not mere property; they could not be sold off the soil into service of a different kind, like the few slaves who still remained in England, and who numbered roughly about 25,000.

The large number of the middle classes, and the small number of slaves, are points in this estimate that deserve consideration. It is clear that the conquest did not introduce any new refinement in servitude. In a matter where we have no certain data, all statements must be made guardedly; but the language of chroniclers and laws, and the probabilities of what would result from the anarchy and war that had so long desolated England under its native kings, induce a belief that the conquest was a gain to all classes, except the highest, in matters of freedom. In Essex the number of freemen positively increased, and the change may probably be ascribed to the growing wool-trade with Flanders, as we find sheep multiplying on the great estates, and with the change from arable to pasture-land fewer labourers would be required. The fact that the

large and privileged class of soc-men was especially numerous in two counties, Norfolk and Suffolk, in which a desperate revolt had been pitilessly put down, seems to show that existing rights were not lightly tampered with. In Bedfordshire, however, the soc-men were degraded to serfs,¹ probably through the lawless dealing of its Angevine sheriff, Ivo Taillebois, and the county accordingly fell off in rental beyond any other in England south of Humber, though it had enjoyed a singular exemption from all the ravages of war. One curious instance is recorded in the Domesday of this county of an Englishman, who, on application to the king, received back his estate as the vassal of Ivo Taillebois, but, like others in the highest class of vassals, with permission to change his lord. As a change might bring down the sheriff's anger upon him, Avigi waited till he found himself on his death-bed, and then formally transferred the service of his land to the earl Warren. The great English nobles were the least fortunate among the conquered people. We do not know under what pleas they were severally dispossessed, but in all ascertained cases the pretence was rebellion or conspiracy, and the only doubtful instance is Waltheof's. Brihtric, who had large possessions in Gloucestershire, was said to have incurred the queen's displeasure by refusing her hand before she married William;² and it is certain that his estates were transferred to her; but it is impossible to suppose that Matilda's wounded vanity was put forward as a plea for dispossession. The

¹ For instance, on the lands of Nigel de Albingi, four manors which had formerly been held by six, ten, twelve, and seven soc-men respectively were now occupied by four tenants, seemingly of foreign ex-

traction (one is Fulcher of Paris), who had thirteen villeins, fifteen bordars, and six serfs under them. Domesday, vol. i. f. 215, A.

² Ellis, Introduction to Domesday, vol. ii. p. 54, note 3.

mother of Edwin and Morcar seems never to have been disturbed, and their sister Lucia became so wealthy by inheritances that she was married to three husbands successively. A few men of mixed lineage or unambitious temperament, like Sweyn of Essex,¹ Eldred of Somersetshire, and Aluric of Hampshire and Wiltshire, retained their patrimonial estates through all the vicissitudes of invasion and civil war. But generally Normans of the second rank, and adventurers from Flanders and France were substituted for the old nobility. The great barons of the duchy seem mostly to have preferred their own country, and it was William's policy to advance especially his kinsmen and new men.

The towns shared the misfortunes as they had aided the struggles of the nobles. Some had stood a siege; in others houses were thrown down that a castle might be erected; and in all, however wasted, the old rent was continued, and, if possible, raised. In Shrewsbury, where one hundred and eighty houses had been destroyed, or exempted, or transferred from the common taxation, the remaining two hundred and fifty two had to pay the same rent as in king Edward's time. In Warwick the rent of £89 8s. paid under the Confessor was more than doubled under the Normans. Where a citizen was unable to pay the tax, the sheriff or a neighbouring baron would sometimes advance the money, and the house was then mortgaged as security to the lender.² This alone will account for a great deal

¹ Sweyn of Essex was son of Robert Fitz Wimar, a Norman, settled in England under the Confessor, who gave friendly notice to William of Harold's approach. *Gul. Pict.*, p. 128. As Sweyn of Essex is called "our brother," in a royal charter of Edward's (*Cod. Dip.*, 899),

Robert may be supposed to have married into the English royal family, perhaps an illegitimate daughter of Ethelred's. One of Edward's last acts was to make him a grant of land "*sicut canonico*." *Domesday*, vol. i. f. 253, A.

² "Walter de Dowai habet in Ex-

of property changing hands during the reign. Naturally the inland towns were unable under this system to repair the ravages of war, although Frenchmen were encouraged to settle in them by the gift of tenements rent-free. But the towns on the sea-coast, Chichester, Pevensey, Sandwich, and Dunwich, profited by the large continental trade, and increased in population and in wealth. Dover was rebuilt and appears as a place of importance. Besides the ravages of war the English seem to have suffered during part of the reign from bad seasons, and from what the chronicles call "wild fire" in the towns. Many cities are said to have been destroyed, and we know that in Lincoln more than eighty houses were consumed. But the importance of the English cities must not be exaggerated. Of London, Bristol, and Winchester, as they have no mention in the Survey, and were, probably from their importance, allowed to compound, we can make no definite statements. But we know that York under the Confessor had only about eighteen hundred houses, and Norwich only one thousand three hundred and twenty burgesses. Even if we assume that houses in town were more thickly inhabited than in the country, and this can only be true in a few cases, it is evident that from seven to ten thousand would be the population of a first-class town.

The country at large had not suffered like the towns, and the losses actually sustained had been more easily repaired under good government. In fact, as farm-buildings were mostly of wood, and orchards and

ecceste novam domum in vadimonium de uno burgense de qua consuetudo est retenta." Probably Ernulf de Hesding had acquired the house in Malmesbury "quam incaute

accepit," in the same way. A similar case is recorded of a country holding in Bedfordshire, where Ivo Taillebois paid the "gafol" or rent. *Domesday*, vol. i. pp. 65, A ; 112, B, 217, A.

gardens were few and far between, the ravages of war were chiefly felt in the lawless consumption of flocks and herds,¹ and in the killing or driving away of labourers. At times when there was no free labour-market, it was certain ruin to a small proprietor if he was deprived of the serfs attached to his land. An analysis of twenty-one counties² shows an increase of eight per cent. in real value on the rental under Edward the Confessor; and if the actual returns were contrasted with the values when the tenants received their manors, the difference would be enormously greater. Naturally the different counties show very various results. The eastern counties and Kent had gained most by the increased trade with Flanders and the continent. Sussex, Hampshire, Hertfordshire, and Middlesex, which had borne the brunt of the first invasion, show a marked falling off, but Surrey a slight increase. The south-western counties had on the whole gained, with the single exception of Cornwall, which had been ravaged after the siege of Exeter, and whose earl, Robert of Mortaine, was rapacious and of no ability. The counties along the Welsh marches, except perhaps Herefordshire, show decrease, no doubt from their liability to border forays, in which Saxons like Eadric the Wild took signal part. The midland counties generally exhibit increase more or less marked; the most notable exception being Bedfordshire, where the estates often show continuous decline during the reign. As we advance north, Cambridgeshire, where insurrection had so long lingered, Nottinghamshire and Derbyshire, where the Conqueror's

¹ "Hallinges, T. R. E. et post
valuit 30 libras. Modo 20 libras,
eo quod terra vastata est a pecunia."

Domesday, vol. i. f. 14, B. "Pecunia," of course, means cattle.

² See Appendix D.

troops had passed during the Yorkshire campaigns, and Yorkshire itself, which had been mercilessly laid waste, all exhibit decline. In Lincolnshire increase appears to be the rule. It made some difference to the country who was the occupant. Thus while church lands generally had increased ten per cent. in value, the lands of other tenants-in-chief had only advanced about eight per cent., and the crown lands little more than six, if we allow for imperfect returns. The advantage of the Church is explained by its comparative immunity from the havoc of war. The crown, no doubt, suffered from the dispersion of its estates over many counties. In the same way great landholders, like Robert of Mortaine, paid for their wide possessions by a diminished rent-roll.¹ Nobles of the second rank, whose property was less scattered and who resided on it, rivalled the Church in the results they obtained. The small gentry were commonly the least fortunate; if Englishmen, unable to hold their own adequately, and, if Normans, coming in for the least desirable allotments.

The proportions in which the land was divided are very remarkable. Roughly we may say that the crown held ten parts to fifteen owned by the Church, and twenty-five by the baronage; or the crown a fifth, the Church three-tenths, and the barons about half. In this estimate the lands owned by alien priories are included among the Church lands, but not those which were bestowed on foreign prelates, like the bishops of Bayeux and Coutances, whose claim was not that they were Churchmen, but that they were statesmen, and whose

¹ Robert of Mortaine's lands show positive decrease from £2155 9s. 5d. T. R. E. to £1932 0s. d. T. R. W.

His large holdings in Yorkshire are partly, but not altogether responsible for this.

possessions commonly passed to their nephews or natural sons. First in wealth among the baronage came the princes of the blood, like Eudes of Bayeux, whose manors returned a rental of £3384, and Robert of Mortaine, who received nearly £2000. Next in importance are the great prelates, the lands of the see of Canterbury alone bringing in nearly £1500 a year. It is a great descent to the mere nobles, men like William de Braiose, Eudo Dapifer, or Sweyn of Essex, whose estates only brought in from £500 to £300 a-year. But the profits of an estate depended chiefly on what the lord kept in his own hands as demesne or inland; the outland, let out among tenants or retainers, only paying a rent of fluctuating value.¹ Naturally the proportion of demesne was larger on the property of the smaller barons,—Hugh de Montfort, for instance, keeping half his property in Kent as demesne, while the count of Eu, in Sussex, only retained a sixth, so that the great princes had more following than revenue. From five to twenty pounds a-year was no uncommon income for a gentleman; multiplied by twenty to compare with present values, this would still represent a competence for a small squire in parts of the continent.² But in fact many of the tenants-in-chief were

¹ Hugh de Montfort's inland was £93 14s. 1d. against £92 19s. 4d. outland. The count of Eu retained £43 6s. in his own hand out of manors returning £276 9s. 10d. But of course these proportions varied.

² The silver penny in Norman times was as twenty-two and a half to eight grains, the estimated value of ours, or nearly three times as much. I find from Domesday Book that a cow was worth, on an average, 2s., an ox 2s. 6d., a pig 8d., fifteen loaves of coarse bread for dogs were valued at rather less than 1d., a horse-load

of salt at 1s., and thirty-two ounces of honey at 1s. 3d. It must be remembered that the cattle and swine are taken at stock prices, not as fatted for the market, and must be estimated by prices in Kerry rather than by Lincolnshire rates. Domesday, vol. i. f. 162, B, 163, A, 238, B. Mr. Morgan shows that in Somersetshire one hundred cheeses and ten bacons (no doubt the whole pig salted) were equivalent to seventeen pounds of silver. England under the Normans, p. 45.

neither knights nor gentle in any respects; the huntsman, the smith, and the cook, were all tenants-in-chief if they held directly of the king; but their social position must often have been inferior to that of the great sub-tenants.

The whole revenue of England under Edward the Confessor is said to have reached £40,000 annually. Under William it is stated by one historian at the incredible sum of £1061 10s. 1½*d.* a day.¹ Assuming the period really meant to be a week, we find that the revenue had been raised nearly fifty per cent.; and setting down six per cent. of this to the growth of the country in wealth, we must refer the rest to confiscations and increased taxation. We can account from Domesday Book for more than £17,000 coming in from manors and towns, and with allowances for the great towns, for omissions, and for the North, we may probably put the whole at about £20,000. The remainder would be made up of fines for justice, succession dues, and Dane-geld. The value of fines for justice was very great. An estate in Kent valued at £100 a-year would have been worth £20 more if the Abbey of Battle, which owned it, had enjoyed the rights of "sac and soc" on it. In Yorkshire, if the king's peace under his sign-manual was broken, every hundred in the twelve surrounding the scene of outrage paid a fine of £8. Succession dues may probably be taken at an average of £2000 to £2500 a-year.² Dane-geld seems to have fluctuated. In the laws of Edward the Confessor it

¹ Gir. Camb., de Inst. Princ., p. 167. Orderic, vol. ii. p. 223.

² At an average of from twenty to twenty-five earls, two hundred barons, and six thousand knights, pay-

ing £100, 100 marks, and 100s. respectively as reliefs, and taking twenty years for the average tenure of estates.

is estimated at 1s. a hide; in Domesday it differs in different counties from 5*d.* to 16*d.*; in Henry the Second's time¹ it was supposed to have been 2s.; and on one occasion, when a Danish invasion was dreaded (A. D. 1083), we know that as much as 6s. the hide was raised. The demesne lands of the Church, and later, at least, of sheriffs, exchequer-officers, and of all military tenants were, however, exempt, or only taxed under very heavy pressure. Nor is it certain that the tax was regularly raised. The Confessor and the Conqueror share the credit of having remitted it, more or less entirely,² while we find, from authentic documents, that it was levied as late as the reign of John.³ If the Dialogue of the Exchequer, written under Henry the Second, be trustworthy, we may perhaps assume that it averaged 2s. the hide, and in this case there is reason to think that the whole amount was from £5000 to £6000.⁴ Under Henry the First the whole income of the crown from the county of Surrey, where its lands at the time of Domesday returned about £300, was estimated at £3000, if we assume that the viscount who received £1000 a-year got exactly the third penny.⁵ Allowing for the cost of collection, and for unprofitable property (such as prebends), this would agree very well with the estimate of £58,000 for thirty-two counties for the Conqueror, as Cheshire and Shropshire were counties palatine, detached from the rest of the realm. A casual, but important source of income was found in confiscations. The income of Eudes of Bayeux, we may be sure, went

¹ Leges, Edward, c. 11; Leges, Hen. I., c. 2; A. S. Laws, vol. i. pp. 446, 501. Liber de Scaccario, lib. i. cap. 11.

² Lives of Edward the Confessor, p. 51. Liber de Scaccario, lib. i. c. 11.

³ Madox's History of the Ex-

chequer, vol. i. p. 692.

⁴ See Appendix B for the hidage of England. Mr. Morgan, taking the Dane-geld at 6s., estimates the whole as under £20,000. England under the Normans, p. 15.

⁵ Orderic, vol. iv. p. 162.

into the royal treasury when the great bishop was in prison. Altogether it is easy to understand how a good economist, like the Conqueror, could leave a treasure of £60,000 at his death.

We cannot tell certainly from Domesday to what extent a foreign element was infused into the population. The number of Frenchmen recorded as such (three hundred and fifty-four) is so small as to be valueless. The tenants-in-chief (excluding bishop and church corporations and the king's thanes and almsmen, who were mostly English) did not amount in all to much more than four hundred of very different ranks. Of these a fifth must probably be subtracted for Englishmen, Bretons, Flemings, and Frenchmen proper:¹ at least half were persons of no importance, and the small residuum represents the Norman nobility and minor barons. Mr. Hallam thinks that half of the sub-tenants may have been foreigners; and there can be little doubt that it is in this class, and among the citizens of commercial towns, that we must look for the growing continental element. Still from seven to ten thousand would probably be a large estimate for the males added to the population, and of these many, like the Flemings and Bretons, were probably more hated by the Normans, though also more trusted, than their English subjects. If this estimate should seem small by the side of the large number recorded as fighting at Hastings, it will yet appear probable to those who remember that the number of heavy-armed soldiers and horsemen was

¹ Thus in Lincolnshire out of fifty-eight lay tenants-in-chief four may be identified as Bretons, four as Flemings, and six as English. In Norfolk, out of fifty-four, four were

Bretons, one a Fleming, ten English, and three French. The number of French is probably underrated in this estimate, and the proportion of English above the average.

commonly from a fourth to a fifth of an army, that only the heavy-armed would be settled in a conquered country, and that the bulk of those who were not slain at Hastings received no settlement in land. As the Normans were few in number, they were also, like every military aristocracy, especially prone to decay. The curse that pursues bloodshed and money-getting followed them inexorably, and their sons perished in rebellions, or made childless marriages for inheritances. Of the Conqueror's immediate followers one-half were unrepresented in the male line by the end of the next century, and not one has lasted down to our own times in unbroken seigniorial honours.

The first result of the Domesday Survey was that much lawless aggression of the Normans was undone, and property reverted to its original owners.¹ This was not always submitted to without feuds and bloodshed, and a few of the barons, indignant at their treatment, emigrated with their followers into Scotland, and contributed to people the Lowlands with a mixed race as in England. The great bulk of the tenants-in-chief who acquiesced, however unwillingly, in the new settlement, renewed their oaths of homage to William in a great meeting at Salisbury (Aug. 1, A.D. 1086).² From this day forward Domesday Book was the record and voucher of titles throughout England. Without parallel as without precedent, in the history of civilized nations, it has no doubt exercised a silent influence over our constitutional progress, by the character of permanency it

¹ "It is clear from the survey itself that the inquisitions, in many cases, caused the restitution of property." Ellis, *Introduction to Domesday* (1st ed.), p. 10. Phillips, however, quotes an interesting case in which two powerful barons were

able openly to defy the king's commands for restitution. *Englische Reichsgeschichte*, Band i. s. 92, note 177.

² Thierry, *Conquête d'Angleterre*, tom. ii. pp. 195, 196. Flor. Wig., vol. ii. p. 19.

impressed upon all property and tenures. Before long men's minds were so penetrated with the customs of their country that heaven itself was regarded as a feudal sovereignty.

While the State was being re-modelled, the Church could not expect to remain untouched, and the English clergy had done their best to cherish the national feeling and rouse rebellion. But it was not easy to meddle with a corporation whose chief was the head of Christendom; and had the English Church been more loyal to the pope, or more canonical, it would probably have escaped with comparative impunity. As it was, it gained in property by the changes made around it; the devotion of the conquerors frequently sought to expiate the violences of a soldier's life by the endowment or foundation of monasteries.¹ But these were slight compensation for the loss of office and for changes in the liturgical habits, so to speak, of English churchmen. On the final deprivation of Stigand, who had shown himself incapable of trust, and was doomed to honourable but life-long imprisonment, the illustrious Lanfranc, prior of Caen, was appointed his successor. Lanfranc is one of those great Italians who have moulded the character of the times in which they lived. As teacher in the little monastery of Bec, he had established a school of European reputation; which numbered among its students, pope Alexander, and the profound thinker, Anselm. As an ecclesiastic, Lanfranc was neither time-serving nor seditious; and having braved William's anger, by denouncing his un-canonical marriage with a cousin, he did his best to reconcile the duke to the Church by procuring a dispensation from Rome. Him-

¹ Under William I., 45 monasteries were founded; under William II., 29: and under Henry I., 143.

Raumer's Pol. Hist. of England, vol. i. p. 110.

self favouring the strict monastic rule, Lanfranc declared that he should esteem no vow binding, if it were found incompatible with a higher life.¹ He was not eminent as an abstract thinker; and in defending the Real Presence against Berengar, showed rather blunt good sense than any metaphysical subtlety. But he had high organizing powers, and his letters and speeches display a vigour and audacity which the habit of monastic humility never weakened or disguised; he is like Thor in the woman's dress, revealed by the lighting of his eyes, and with the hammer under the folds of his garment. Lanfranc had the contempt of a civilized Italian and a Norman conqueror for "the barbarous people" among whom he was made primate. He stood manfully by the privileges of his see, maintaining the rights of Canterbury over York, and reclaiming the manors taken from his diocese. But his hand was heavy upon the English. He brought the native bishops to account for the irregular habits which prescription had established or excused; and one by one, as their delinquencies were proved, they were dispossessed of their preferment, not without fair trial, but mercilessly.² An attempt of the anti-reformers to substitute canons for monks in Winchester was put down; and Lanfranc revived the glories of Dunstan's rule, though without

¹ Lanfranci Op., vol. i. p. 80.

² Pope Alexander's letter to William (Lanfranci Op., vol. i. p. 31), commissions Lanfranc to try Ebric, bishop of Chichester, again. As Lanfranc was then at Rome, and in the highest favour, he probably did not oppose the new trial. It must be remembered that a bishop might be deposed for many reasons: if he were married, like the bishops of Elmham and Lichfield; if he had been consecrated irregularly, like Stigand; if

he were a bastard, or had any personal deformity. After all, omitting the vacancies caused by the deposition of Stigand and Egelwine of Durham, who were both deprived as rebels, and the case of York, whose primate died a natural death, there are only three vacancies in the list of bishops between A. D. 1067 and 1074. Two are Elmham and Lichfield, where the bishops had married; the other Chichester. It cannot be said, therefore, that either

emulating his austerity. Large-minded as it was said no Lombard had ever yet been, Lanfranc gave away £500 a year to the poor out of revenues that never reached £1500, and founded, amongst his other charities, the first known hospital for lepers. Yet it does not seem that he was heartily loved by the people. A strict economist, he raised the value of his lands fifty per cent., and the Domesday commissioners reported from two counties that his rental was excessive. Above all, like his great master, he shocked vulgar prejudices by the energy of his reforms. He laboured himself and employed others on a revised text of the Scriptures, and of the chief fathers. He pruned the Anglo-Saxon calendar, with unsparing hand, of the saints who were unaccredited in Europe. The people murmured the more because they knew nothing of the continental saints who replaced their old patrons; it seemed the last bitterness of defeat that their very worship should be transferred to the tutelary saints of their conquerors.

Lanfranc himself seems to have bestowed his preferment conscientiously. But William, in spite of his piety, was less scrupulous, and repeatedly gave benefices to buy off old claims on his bounty, or to place power in the hands of trustworthy partisans. Ignorant and vulgar men swarmed over from the continent to enjoy the church plunder of England. One of these new Norman

William or Lanfranc carried out their policy violently. As for the story that William attempted to deprive Wulfstan of Worcester, one of his most loyal supporters, it must be taken in its entirety from the "sacred scriptures," which the annals of Burton quote for it, with the incident of Wulfstan's thrusting his crozier into the tomb of the Confessor, so that no one but himself could draw

it out. *Annal. Mon. Burton*, p. 211. Yet Wulfstan's habits were peculiar, if Brompton has any authority for saying, that although a strictly abstinent man himself, he encouraged the English fashion of long drinking after dinner, sitting by and repeating psalms to himself while he affected to fill his cup. *X Scriptores.*, c. 953.

prelates, Robert of Chester, carried off horses, goods, even building materials from the monastery of Coventry, and was only brought to his senses by a peremptory mandate from Lanfranc ordering restitution.¹ Thurstan, abbot of Glastonbury, tried to substitute a Norman fashion of plain song for the Gregorian, which had hitherto been used. The monks were refractory, and Thurstan called in the men-at-arms of his estate, who pursued the terrified delinquents into the abbey church. There was a fierce brawl, and although the monks, wielding benches and candelabra, at last drove their opponents into the choir, it was with the loss of two killed and fourteen wounded on the very steps of the altar. This crime, however, so far transcended ordinary experience that the king banished Thurstan and refused ever to restore him. Yet disorders in a monastery were not always the result of Norman intrusion. The monks of St. Augustine's, Canterbury, quarrelled with their own nominee, the abbot Wido, whose election they had secured against Lanfranc's influence, and twice attempted to murder him.² Generally it was in the interests of a monastery that its head should belong to the dominant caste; but there was the taint of violence upon these appointments, and scrupulous men shrunk from

¹ Lanfranc, *Op.*, vol. i. p. 51.

² Compare the two widely different accounts in the *Hist. Monast. S. August.*, p. 346, and in the Latin appendix to the Parker MS. of the *Anglo-Saxon Chronicles*, A. D. 1087. The first, written in the interest of St. Augustine's, represents the election of Wido as a triumph of the monks over Lanfranc, and makes no mention of subsequent disorders. The chronicle, written by a partisan

of Lanfranc, is silent as to the archbishop's defeat, and represents the monks as refractory on the very day of the abbot's consecration. Probably Wido had alienated his supporters by making concessions to the archbishop. The only punishment inflicted on the monks in these cases was whipping, the second time in private, to avoid scandal, and banishment.

profiting by the favours of blood-stained and disorderly conquerors. The venerable Guitmund, a monk without office in a petty Norman monastery, was summoned across the seas to William's court, and invited to take up his residence there till a bishopric should fall vacant. Guitmund answered that he was a sick man, perplexed with doubts and sorrows of thought and frailties of an infirm purpose; but were he fitter than he was to guide others, he would never accept preferment of which the rightful owners had been forcibly dispossessed, or share in the spoils of blood. When he thought of the crimes by which England had been won, he trembled to touch it, with all its wealth, as though it glowed with the fire of hell. Then, dilating into prophecy, he warned the king and court of the just judgments of God which had overtaken all the great spoilers of mankind, and would certainly call the Normans one day to account. William, respecting Guitmund's sincerity, gave him an honourable passage back, and offered him the archbishopric of Rouen on the next vacancy. But the Norman clergy had heard with indignation of the man who rebuked the sins by which his neighbours profited. They urged that Guitmund was the son of a priest, as a canonical reason against his election. Guitmund did not care to cause any heart-burnings for a mere matter of personal advantage. He obtained his superior's leave to quit the country, and ended his days in Italy, as bishop of Aversa.¹

William's policy to the Church, regarded as a distinct

¹ M. Prevost has pointed out some chronological difficulties in this narrative. Guitmund went to Italy as early as A. D. 1077, and the archbishop of Rouen did not die till A. D.

1079. Probably the name of the see is wrongly given. But there is no need to reject the main incidents of so touching a story. Orderic, vol. ii. pp. 226-234.

society from the State, produced the most important results on the fortunes of his successors and of England. He slightly strengthened the connection with Rome, but deprived the national clergy of half their powers. So far as the interference of legates was necessary to depose the English prelates from their sees, William admitted it readily, and repaid the papal court by a more rigid enforcement of Peter's pence. But when Hildebrand was encouraged to demand fealty from the king whose arms the pope had blessed, William returned a peremptory refusal; none of his ancestors had done it, and he would give up no old right.¹ Hildebrand knew something of the king's character, and allowed the question to drop. The English clergy had hitherto been at once a part of the commonwealth and a separate state by themselves. Their synods, although sometimes attended by the king and nobles, had been virtually free to prescribe their public policy as a body, or to draw up laws for the regulation of daily life. They had wielded the whole correctional police of the country; and the bishop had sat by the side of the ealdorman to dispense justice in the scir-gemots. These powers—small, safe, and perhaps salutary in barbarous times, when any means of enforcing law were valuable—were dangerous when the relations of neighbouring states had become more intricate, and when the popular sense of right and wrong had begun to confound the secular notion of injury with the spiritual notion of sin. For the clergy to decide which pope they should obey in case of a contested election might seriously embarrass

¹ "Fidelitatem facere nolui nec volo, quia nec ego promisi, nec antecessores meos antecessoribus tuis id

fecisse comperio." [Lanfranc, Op., vol. i. p. 32.]

public policy. William declared that the question of recognition lay with himself. The declaration did not settle the matter. The claim of the Church was inadmissible, but it was logically just; so long as the clergy were a separate caste under a pope, it was for them to determine who was their head; otherwise they were no independent body, but a branch of the public service. William's edict was the preamble to Henry VIII.'s assertion of state supremacy: between the two lay more than four centuries of passionate discussion on the two rival sovereignties. The enactment that the English Church, assembled in council, might pass no laws or canons except such as William had recommended or approved, was another statesman-like act, which created its own precedent. The Church could prove from history that it had never been controlled in this function. But inasmuch as it claimed and exercised the right to fine moral delinquents, to seclude them from society, and withdraw them from active service, when it entered in certain cases on the property of those who had infringed its canonical laws, the State might well think itself justified in limiting the extension of these powers. One point was so important that it called for a separate enactment. A man whom the Church excommunicated was, in strict theory, an outcast from all society; his wife and children must shrink from him, his household shared the sentence if they brought him food, no man might serve in arms with him. Clearly these powers, even if justly exercised, much more if wielded by a passionate or factious bishop, might cause irretrievable injury to the public service. William therefore ordained that no chief tenant of the crown, however great his sin, should be excommunicated in future, except by the king's special precept. It was probably understood that

the precept was not to be refused—rather, that it was to be backed by the kingly power in flagrant cases; our Norman sovereigns were not very rigid moralists, but they had a pecuniary interest in enforcing penalties. We do not hear that the upright and courageous churchman, Lanfranc, offered any opposition to these innovations: though he would probably have treated the first as a dead letter if it had ever stood in his way. But he must have felt the difficulties of William's position, and that the extension and clashing of rival courts were injuries to the administration of justice: that an inquisition and secular courts could not co-exist. As a churchman, he probably felt that his order suffered from mixing in temporal matters. It may therefore have been as a matter of discipline that the bishops about this time withdrew from the scir-gemots and confined themselves to their own courts. But the fact that local privileges were degraded, and feudal powers raised, no doubt assisted the change: the prelates did not care for a disputed rule in courts that were almost contemptible.¹

William's general policy was to leave the laws which he found in the country unaltered, and to content himself with enforcing them stringently. The frith-guild or frank-pledge system gave every guarantee for order which even a conqueror could desire. Though capable of savage excesses through passion or policy, William was not deliberately cruel. In his earliest laws he forbade the infliction of capital punishment for trifling offences, on the ground that man, made in God's image and redeemed by Christ's blood, ought not to be lightly slain. Later on, he abolished death as a punishment, and sub-

¹ Eadmer, Hist. Nov., lib. i. p. 352.

stituted penalties of mutilation, in order that the correction might be proportioned to the offence. But the spirit of institutions may change while the letter remains unaltered, and it made a great difference to the subject-people whether they were bound in a general way to keep order among themselves, or were responsible for offences against the peace to men who had a direct interest in pressing the penalties of the law against them. Assassination was a common form of English vengeance upon the lawless foreign soldiery. At first, the murderers were accustomed to mutilate the body, that it might not be recognized, in order to save their neighbours from the murdrum, or fine of blood, which was heavier for a Norman than for an Englishman. To prevent this evasion of justice, the practice was introduced of considering every slain man a Norman, unless proof of "Englishry" were made by the four nearest relatives of the deceased.¹ With a similar object, as no Saxon murderer would ever have been convicted on his neighbours' oaths, the ordeal was substituted, in cases of felony, for compurgation. The famous curfew-bell, which was tolled at sunset, in sign that lights and fires were to be put out, was a further expedient of police. The evening beer-clubs

¹ *Leges Gul. Conq.*, iii. 3; *A. S. Laws*, vol. i. pp. 490, 491. The *Dialogus de Scaccario* (lib. i. c. 10), speaks of the murdrum, or fine for blood, as if it were introduced by the Conqueror. This is contrary to all analogy, and to the express evidence of the laws called of Edward the Confessor, which are probably as early as Henry I. *Leges Edw. Conf.*, 15; *A. S. Laws*, vol. i. p. 448. Presentments of Eng-

lishry took place throughout the reign of Richard I., but are not recorded later, and the use was taken away by statute, 14th Edw. III. Cf. Robinson on Common Law of Kent, p. 350; Bracton, lib. iii. c. xv. p. 135; *Abbrev. Plac.*, pp. 13, 17, 18, 19. But the upper and middle classes were by that time so mixed that the proof was rather one of condition than of race.

had become dangerous as the rendezvous of conspirators. But one of the worst aggravations of the conquest lay in the difference of language between Normans and English. William, indeed, had once set himself to learn English,¹ but the difficulties of the task had been too great; and his barons could never pronounce the names of the cities they stormed: they called Lincoln, Nichole and York, Eurwic. Gradually, indeed, a kind of mixed dialect sprang up, known popularly as Marlborough French, something like the *lingua Franca* of the Levant, or the slang of Anglo-Indian society, confounding the two vocabularies, and disregarding grammatical forms.² But during William's reign, when there were no central courts except the king's council, and no trained advocates, justice was administered by men unacquainted with the vernacular, and Latin became the language of official use. No doubt there was always a steward or clerk of the court, who interpreted for the people, and with whom the real management of business lay. But it was not the less an evil to the nation, that its laws and their science were treated in a foreign idiom, and that the assistance of professional men began to be needed by those who sought justice.

The greatest change that the conquest effected, and politically, the most beneficial, was the practical substitution of small administrative units, such as the "shire," for the large national divisions of provinces. It is true that the name "shire" was at least as old in England as Ine's time, and that Northumbria and Mercia are still

¹ "Anglicam locutionem plerumque sategit ediscere, ut sine interprete querelam subjectæ gentis posset intelligere." Orderic, vol. ii. p. 215.

² Mapes says, "Cum vitiose quis illâ (sc. Gallicâ) linguâ loquitur dicimus eum loqui Gallicum Merleburgæ." *De Nugis Curialium*, p. 236.

spoken of for many years in the chronicles. But practically, the earls of Ethelred's time had presided over several counties together, while it is rare after the first years of the conquest to meet with more than one in the same hands.¹ Our kings were jealous of overgrown principalities. Separated by the great fen district, and by the almost unbroken forests which stretched from the banks of the Mersey and Ribble through Derbyshire to Sherborne, Angle and Saxon had grown up practically as distinct as Englishman and Scotchman before the Union; with different dialects and laws, under various feudal relations, with traditions of different dynasties, and of almost unbroken hostilities, and with nobilities of so distinct origin that Tostig is perhaps the first southerner who was nominated for an earlship north of Mercia. But after the desolation of Yorkshire a new population grew up, recruited from all quarters; Frenchmen and Flemings settled in the towns; Cumberland was colonized with Saxons from the south by William Rufus's policy;² and we know that the population of Norfolk doubled in twenty years under the Conqueror. For a time, too, the native population was united by common sympathies against its foreign nobility, and as the Normans were gradually absorbed, all had a similar grievance against the Poitevin and Angevine adventurers, whom our kings, from Henry II. to Henry III., encouraged. Accordingly, while the term English denotes two separate races before the conquest, it comes to designate a new nationality afterwards. The revolutionary decree that changed France from provinces into departments,

¹ The last earl of a province was Robert de Mowbray, earl of Northumbria, deprived in A. D. 1095.

² Wendover, vol. ii. p. 42. Probably they were peasants evicted from the New Forest.

was not more important for history than this result mostly unpremeditated, of the Conqueror's policy.

Few of the King's own acts made a deeper impression on his times than the formation of the New Forest. The Hampshire preserves of the Saxon kings were increased by laying waste seventeen thousand acres; the villagers were partially evicted, and more than twenty churches destroyed;¹ tufts of yew are still said to show where the old churchyards were. The nature of the soil, which is thin and sandy, proves that the district can never have been thickly inhabited. The excuse that William wished to prevent the landing of an enemy is less tenable, as the New Forest lay opposite to his own Norman dominions. His contemporaries regarded the act as the wanton barbarity of a man who loved the pursuit of game better than his subjects' happiness; it seemed the judgment of heaven that two of William's sons and a grandson found untimely deaths in the forest which his violence had enlarged.²

The rival prejudices of Norman and English writers make it difficult to decide which of the two peoples was the more civilized. Norman literature before the con-

¹ The accounts differ from twenty-two to fifty-two. "If, as is commonly reported, thirty-six churches were destroyed by the Conqueror," &c. Ellis's *Introduction to Domesday*, pp. xxxii. xcii. Mapes says that William Rufus destroyed thirty-six "*matrices ecclesiarum*" in the New Forest, and exterminated the population. *De Nugis Curialium*, p. 222. "The Domesday record proves that although thirty manors in the very heart of the district ceased to be cultivated after the afforestation, the great majority continued in tillage as before. . . . The great

grievance . . . was the subjection of the entire district to the savage forest law of the Normans." Murray's *Handbook of Hampshire*, pp. 245, 246.

² Richard, William's second son, "*magnificus et bonæ indolis adolescens*" (*Wendover*, vol. ii. p. 25), died of an illness caught in hunting. His nephew Richard, Robert's son, was crushed, or otherwise killed, by a branch in riding. *Malmesbury*, lib. iii. p. 455. Compare *Orderic*, vol. ii. p. 391, who confounds uncle and nephew.

quest is worthless; their law-courts have nothing to match the splendid series of Anglo-Saxon charters. But these are rather proofs that their civilization was modern, than that it did not exist. For a century and a half, English literature had been almost barren, while within thirty years the Italians, Lanfranc and Anselm, had founded a school in Normandy which was unrivalled in its own days, and which almost reconstructed philosophical thought in Europe. The English were renowned throughout Europe for their perfection in the mechanical arts and embroidery; but they imported their artists from Germany;¹ and they produced nothing in architecture to rival those magnificent castles and cathedrals which the Normans have scattered broadcast over the land. It seems certain that the Normans were more cleanly in their habits, and more courtly in their manners; their vices were rather passionate than gross, and they had the virtues of gentlemen, large-handedness and the love of adventure. Timid devotion bound the Englishman to his Church, while a narrow insular spirit was separating him from the European centre of religion.² The Norman distinguished better between the dues of Cæsar and of God; he built churches, and attended mass; but he drew a line between the citizen and the priest, which the latter was never allowed to over-pass. He connected the country with Europe and Roman law, but he kept it free from foreign tyranny; the Italian legate or tax-gatherer might venture here under a weak

¹ Gul. Pict., p. 155.

² Norman contempt for English superstition, and English horror of Norman profanity, often pierce through the chronicles. Thus William Rufus, on the day of his death, asked one who was warning him not

to hunt, "Do you think I am like the English, who give up the business or journey they have in hand, because some one sneezes, or for an old wife's dream?" Orderic, vol. iv. p. 87.

king; but the barons repeatedly drove him back or foiled him; and under an able sovereign, Henry II. or Edward I., the see of Rome was limited to its natural functions of directing the European Church and adjusting the law of nations. To sum up all, England without the Normans would have been mechanical, not artistic; brave, not chivalrous; a state governed by its priests, instead of a state controlling its Church. It had lost the tradition of Roman culture, and during half a century of peace had remained barren of poets, legists, and thinkers. We owe to Normandy the builder, the knight, the schoolman, and the statesman.

CHAPTER XXIV.

LAST YEARS OF THE CONQUEROR.

CHARACTERISTICS OF A FEUDAL ARISTOCRACY. PRINCE ROBERT'S REBELLION. IMPRISONMENT OF Eudes of Bayeux. WILLIAM'S DEATH AND TESTAMENT. SCENE AT THE BURIAL. PERSON AND CHARACTER OF THE CONQUEROR.

DURING the latter years of the Conqueror's reign the English learned to regard the Norman usurpation as a grievance which was better endured than resisted. The feud of the two races was not finally extinguished for more than a century; but it was complicated with a very different struggle between royalty and feudalism. The great nobles of every country in those days had the privileges and powers without the responsibilities of government; the plunder of a city was a loss to the exchequer, but gain to them; the nation might be desolated or conquered, while its barons would merely transfer their castles and following to a new lord. William Fitz-Osbern, a free-handed, adventurous knight, who abused his powers, as lord-lieutenant, to reduce the fines for military outrages, and Hugo Lupus, of Chester, fat, wasteful, and licentious, who lived in a harem, and drove the peasants to despair by his zeal for the chase, are good specimens of the Anglo-Norman nobility: the first had some statesman-like qualities, and was not personally brutal; the second honoured piety and learning in others, and restored the value of property in Chester.

The character of the noble was not the only point of importance to his tenantry: Roger Montgomery, earl of Shrewsbury, was a just and well-meaning man, but his wife, Mabel, was so oppressive and bloody as at last to provoke one of her own Norman vassals to murder her; and their second son, Robert of Belesme, was the worst man of the exceptionally bad times under Rufus and Robert of Normandy.¹ The Church suffered from the prelates as the State did from its rulers. Eudes of Bayeux distinguished himself by the plunder of monasteries; and Ranulf Flambard died confessing that he had robbed the Church he professed to serve from wanton lust of gain: that the wish to do evil had been even greater than the power.² No doubt the oppressions of these men were excused, in the eyes of a weak or profligate ruler, by the fact that the people plundered spoke a different language; and in this respect the Norman Conquest was a curse. But, generally speaking, difference of race could add little to the contempt which a noble of the middle ages felt for his inferiors. The Normans, under an incapable sovereign, were oppressed as pitilessly by their native lords as ever the English were;³ but the worst abuses of continental feudalism were never naturalized in England. The law of *Ine*, which imposed a fine if any one took revenge before he demanded justice, had graven itself on English sense of

¹ Orderic, vol. ii. pp. 220-410; vol. iii. pp. 300-422. Malmesbury, lib. v. p. 626.

² Ang. Sac., vol. i. p. 709. Orderic, vol. ii. p. 222; vol. iii. p. 191.

³ Thus, immediately on the death of the Conqueror, "*provincia tota (sc. Normanniæ) erat dissoluta et prædones catervatim discurrerant per vicos et per rura. . . . Quotidie*

fiabant incendia, rapinæ et homicidia." Orderic, vol. iii. pp. 289, 290. M. Prevost observes in a note on this passage, "*Les plus grands seigneurs du pays, Guillaume Comte d'Evreux, Richard de Courci, Robert Bertran, Robert de Moubray, et jusqu'au prince Henri lui-même n'avaient pas honte de prendre part à ces dévastations.*"

right as an inviolable precept, and till the reign of the Confessor there is no instance of a castle that was not garrisoned for the king.¹ The violence of rival earls took the form of assassinations rather than of private war, and an Ælfgar, a Harold, or a Robert Fitz Wimar,² when they plundered the Church, did it by royal grant, perhaps fraudulently obtained, or compelled an unequal bargain, or at most silenced complaint by unrighteous authority. Even a weak prince like the Confessor interposed at times to do justice, and his will was seemingly respected.³ Both the Conqueror and his youngest son had a strong sense of right, and an even keener instinct for unbroken order, so that Normans of the highest rank, such as Ivo de Grentemesnil, were called sharply to account if they harried their neighbours' lands or burned his crops.⁴ Whatever broke the power of the barons was a positive good to the people, who rallied by turns about church or king, not so much from motives of superstition or loyalty, as because the untried or distant ruler was preferred to the native lord. Writhing under manifold oppressions, the subject-classes groaned for a strong government; there was no thought

¹ The only possible exceptions are Sulmonnes-burh, in Gloucestershire, called, however, "a city" (*urbs*), (*Cod. Dip.*, 137), and Cnobheresburgh, where the Roman remains of Burgh castle were perhaps turned into a private stronghold for a time. Bede, H. E., lib. iii. c. 19.

² "Ælfgarus . . . meus præpositus . . . injuste acquisivit villam . . . ab incolis, Mordun nominatam . . . me consentiente." *Cod. Dip.*, 1306. "Alnod per violentiam Heraldī abstulit S. Martino Merclesham, et Hanochesten pro quibus dedit canonicis iniquam commutationem."

Domesday, vol. i. f. 2.

³ "Istud manerium et Sture abstulerat H. Comes. . . in ipsā ecclesiā inventus brevis cum sigillo R. E. præcipiens ut ecclesiæ restituerentur cum Melecome." Robert Fitz Wimar, having received land as a canon, alienated it to a son-in-law. The king ordered restitution, but died before it was carried out. *Domesday*, vol. i. f. 79, A. f. 253, A.

⁴ Orderic expressly says on this occasion, that private war in England was an unwonted crime, only expiated by heavy penalties. Vol. iv. p. 167.

of democratic equality, no sentimental longing for wild liberty in the woods; they wanted a church that would curse evil-doers, or a king who would hang them up.

The suppression of Raoul de Gael's revolt had given William a few years' peace on his throne. But as he grew old, the barons who murmured under his strict rule found a leader in his eldest son. Robert was strangely out of place in his own family. Easy-natured, but careless of results when his blood was up; ready to promise, but not very scrupulous of performance; grasping at everything in his reach, to give it away to a mistress or a parasite, he had every quality that could ruin a dynasty. The first knight among the crusaders, he proved to be the worst ruler in Christendom. As a young man, short, fat, and bow-legged, though otherwise not ill-looking, and a candidate for ladies' favour, he was jested upon with a freedom which commonly speaks ill for a man's character; his father called him Roblin Courtehouse; his brothers once provoked him to a fray that might easily have been fatal, by throwing water upon his head in the little town of L'Aigle.¹ But there were deeper reasons of quarrel between the brothers. Before the battle of Hastings, Robert, then only twelve years old, had been designated as heir-apparent, should the king fall in that great enterprise. Since then, the prince's dissolute life and unstatesman-like character had contrasted unfavourably with the conduct and abilities of his younger brothers; and it

¹ The date of this scuffle is difficult to fix. Orderic seems to give it as the reason of Robert's first quarrel, and attempt to surprise Rouen. If so, it cannot be much later than A.D. 1078. Henry was then only ten years old, and might well be guilty of such a boyish prank; but

his youth makes it difficult to suppose that Robert would seriously resent his conduct or be jealous of him. Perhaps Richard, whose death is commonly assigned to A.D. 1081, was the real offender. Orderic, vol. ii. pp. 295, 296

was whispered that William thought of dividing his succession. Robert was induced by his friends to put forward a claim to be associated in the government, as prince of Normandy and Maine; his father rejected the application angrily, and Robert, irritated by the refusal, withdrew from court, and tried to surprise Rouen, A. D. 1078. Foiled in this attempt, he led a vagabond life in France, Flanders, and Italy, accompanied by a little court of waiters upon his future royalty, and supported by remittances from his mother, which passed like water through his hands. At last he induced Philip of France to entrust him with the fortress of Gerberoy, on the borders of Normandy. The act was a gross outrage of feudal law, and Philip was presently compelled, on a requisition from William, his liege-man for Normandy, to unite his forces with the Anglo-Norman army that formed the siege of the fort, January, A. D. 1079.¹ Robert, however, made good his post, and during a sally unhorsed his father, whom he did not recognize.² Tokig, the king's squire and an Englishman, was struck down by a javelin as he brought his master a fresh horse. Prince William was among the wounded. The nobles now interfered to stop this unnatural war; and father and son were reconciled. The king reluctantly consented to pardon Robert's associates, and assure him the succession to Normandy. In the autumn of the next year, Robert was employed in an expedition against Scotland, which had no other result than the strengthening of Newcastle-on-Tyne

¹ This important illustration of feudallaw is proved by a charter subscribed by Philip and William, "in obsidione regum prædictorum videlicet Philippi regis Francorum et Willelmi Anglorum regis circa Gerboredom anno incarnati verbi

MLXXVIII." Note by M. Prevost, *Orderic*, vol. ii. p. 387.

² Florence adds a detail, which other writers of the time omit, that Robert, on recognizing his father's voice, dismounted and gave him his own horse. Vol. ii. p. 13.

with a fort. But the feud between father and son broke out repeatedly; and in A. D. 1082, Robert quitted his father's court again, never to return till he was recalled, five years later, by the news of the king's death. Perhaps the cause of this second breach was connected with Eudes of Bayeux' imprisonment. That turbulent prelate's ambition had been kindled by a prophecy, that he would succeed Hildebrand as head of the Christian world. He bought a palace at Rome, sent over money and letters through pilgrims, and prepared to follow himself with a splendid retinue of Norman barons—Hugo Lupus, of Chester, among them—who were to carve out fresh principalities on the banks of the Tiber. The king was displeased with the exportation of treasure and men, and forbade Eudes to proceed. But the bishop disliked his position in England, where the real viceregal power was enjoyed by Lanfranc, and set sail in defiance of orders. His ship was boarded off the Isle of Wight by William's direction, and he himself made prisoner. The king hastily crossed into England, summoned a court of his great peers, and charged Eudes with abuse of his viceregal powers, and faithlessness to his trust. Eudes pleaded that he could only be condemned by sentence from the pope. William answered that he condemned him, not as priest, but as count of Kent, and accordingly imprisoned him at Rouen, where he remained for the rest of his brother's life. Meanwhile Hildebrand had died (A. D. 1085), and the papacy had been given to another.

The last four years of William's life were darkened by the loss of his queen, and occupied by petty wars in Maine, and rumours of Danish invasion. At last, in A. D. 1087, the old grudge against France broke out into war; the plunder of several Norman districts, and

a coarse jest by the French king, enraged William beyond bounds; and, on surprising the town of Mantes, he gave it up to pillage and the flames. Churches and men were consumed; two recluses, who lived in niches of the city walls, were unable or unwilling to escape. William was riding round the town, enjoying the havoc wrought there, when his horse started on some burning ashes: the king was bruised by the pommel of his saddle; fever supervened, and the injury proved fatal. With the true sentiments of a Christian gentleman of the eleventh century, William ordered his treasure to be divided among the churches, the poor, and his household. He could not deprive Robert of Normandy, and he feared to dispose of England, which had been acquired by bloodshed, but he committed it to the hands of God, and instructed William how he might best secure it. To Henry, who had received his mother's inheritance, he bequeathed five thousand pounds, prophesying that he would one day transcend his brothers in greatness. He sustained his dying moments with the recollection that he had founded ten abbeys and twenty-three monasteries in Normandy alone. It was true he had governed roughly, and had much bloodshed and some treachery on his conscience; but the law of God had taught him to put down evil-doers that they might not oppress the innocent.¹ Nevertheless, as he hoped for mercy, he would now show mercy himself: Morcar, Roger de Breteuil, and all the prisoners, except Eudes

¹ How much of this last speech was invented by Orderic is difficult to decide. I have extracted the parts that seem most in keeping with William's character and with the times. Wrong quotations from Scripture are common in mediæval writers.

I am very doubtful about the prophecy of Henry's greatness. The fortunes of three brothers—one violent, one wasteful, and the third thoughtful—are a frequent subject of old tales. Percy Society, vol. viii. p. 36; *De nobili Anglo et tribus filiis suis.*

of Bayeux, should be set at liberty under pledge to keep the peace. He at last agreed to release even Eudes. Hitherto he had been in great pain, though his mind was clear; but mortification now set in, and he died towards morning, commending himself to the Virgin (Sept. 9, A. D. 1087). The respite from suffering had been mistaken by his physicians for amendment, but when the mistake was discovered, the very shadow of royal state passed away from the dead king. The courtiers mounted horse to put their castles in defence; the servants stript the house of everything—arms, furniture and dress—and fled. William's body lay naked in the deserted palace till the archbishop of Rouen ordered it to be taken to Caen, and a private gentleman, Herluin, defrayed the expenses. When the funeral mass had been said, and the body was about to be lowered into the grave, Asselin Fitz-Arthur stepped forth and forbade the burial to proceed. "The land where ye stand was once covered by my father's house, which this man for whom ye pray, while he was yet duke of Normandy, took forcibly from my father, and, denying him all right, built this church there. I therefore challenge and publicly claim back this land, and forbid in God's behalf that the body of the spoiler be covered with my turf, or buried in my inheritance." The bystanders testified to the truth of this statement: and the bishops and barons were compelled to buy off the claimant with sixty shillings for the place of sepulture, and a promise that the whole of his inheritance should be redeemed. Prince Henry has the credit of discharging this debt with a hundred pounds.¹ By a

¹ Malmesbury, lib. iii. p. 463. He was the only son present. There was, however, a respectable attend-

ance of Norman bishops, abbots, and barons at the burial. Orderic, vol. iii. p. 251.

strange chance, Gunilda, Harold's sister, who had lived a life of ascetic devotion in the convent of St. Ouen, died some days before the Conqueror, and was buried within a few feet of him.¹

William was the founder of a line of princes who have never perhaps been surpassed in the world's history for vigour of character and statesman-like ability. It seemed as if William's mother, the tanner's daughter of Falaise, had tempered the fervid energy of Robert the Devil's nature with the practical broad sense of the Norman lower classes. Her son's physique was an index of his character: the forehead vaulted and high; the eye hawk-like; the body broad-chested and sinewy; the arm so strong that he could bend on horseback the bow which common men could not bend on foot. His training was in rebellions and wars, and he grew up self-reliant and implacable. Of the basest crime ascribed to him, the assassination of Conan, he is probably innocent, as Conan did not die till some months after the reasons for wishing him dead had ceased to operate.² The severity shown to the conquered Northumbrians, which was a bloody political crime, admits of no excuse and no palliation. But the king's treatment of the great lords will be judged leniently by all who remember what the barons of those times were: how Morcar and Waltheof had been false to their own country before they were false to William; how Roger de Breteuil and Eu-

¹ Orderic, vol. iii. p. 253; note by M. le Prevost.

² "Suivant l'épitaphe de Conan, il ne serait mort que le 11 Décembre, ce qui semblerait indiquer que les effets du poison ne furent pas immédiats." Note by M. le Prevost; Orderic, vol. ii. p. 260. As Wil-

liam was accused of causing Conan's gloves and hunting-horn to be poisoned, the charge is not very probable. Pathology was so little understood in the middle ages, that the unexpected death of any eminent man was always ascribed to poison.

Bayeux were only anxious to let loose the worst horrors of feudal anarchy on the country. William was pitiless and unscrupulous, but not wantonly cruel. He evicted a tenantry to form a forest, and let his lands to the highest bidder; but he forbade the sale of slaves out of the land, declared the fugitive free if he remained unchallenged a year within a town, abolished punishment by death, and tried honestly to do justice to every man. Never had the king's peace been so good; never were murder, robbery, and violence so unsparingly punished as under the Conqueror. His fame has suffered unfairly because the strong government which he introduced was less popular, especially in the hands of foreigners, than the disorder to which the people had been accustomed. His taxation and high rentals, even his admirable census, were thought unkindly, and ascribed to avarice; yet every man allowed that William kept royal state and generously rewarded those who served him; the people, could they have understood his policy, might have admired the man who spent a little money to keep foes from our shores, while he yet never compromised England's honour in the field. The castles that grew up by town and strand made civil war difficult under a strong rule, and foreign invasion a danger only to the enemy. In an age of gross profligacy, William's private life was severely pure.¹ He found the Norman clergy illiterate; and before he died that province was the centre of European thought.² He was

¹ Dugdale's scandal about a concubine of William's afterwards married to William Peverel (*Baronage*, vol. i. p. 436) is directly refuted by Malmesbury, who gives a similar story in naked absurdity. *Lib. iii. p. 453.*

² John of Salisbury says that as soon as peace was established in England he sent commissioners into foreign nations to procure "whatsoever might seem magnificent or curious." *Polycraticus*, lib. viii. c. 7.

a devout man for his times, and one who attended mass regularly, founded abbeys, and promoted good men when he could do it without loss to his own interests. But with Hildebrand for pope, and Lanfranc for primate, William inaugurated the greatest change in our history, and commenced the substitution of criminal courts for a church inquisition. He put aside omens with a jest, and excused the sentence of a powerful bishop with a pregnant pleasantry. There were few to mourn for the iron soldier, whose tears at Edwin's death are the only womanly touch in his history. But those who remembered the drivelling superstition of Edward's court, the crafty and unscrupulous nature of Harold, and the long records of Anglo-Saxon feebleness, might admit that the change to Norman rule, though carried out with much suffering, had been good; and those who lived to witness the orgies of the second William's court, the feudal disorders of Normandy under Robert, or the worse horrors of Stephen's reign in England, might well look back with regret to "the famous baron," who "was mild to the good men who loved God, and beyond all measure severe to the men who gainsayed his will."¹ It was doubtless the presage of future evil, as well as grief for his old master, that almost broke the heart of Lanfranc when he heard of William's death.²

¹ A. S. Chronicle, A. 1085; Orderic, vol. ii. p. 218; vol. iii. p. 3. Malmesbury, lib. iii. pp. 453-459; ² Eadmer, Hist. Nov., p. 361.

CHAPTER XXV.

WILLIAM RUFUS.

ACCESSION OF WILLIAM II. REVOLT AND DEFEAT OF THE NOBLES.
 MINISTRY OF RANULF FLAMBEARD. CHARACTER OF WILLIAM AND
 HIS GOVERNMENT. PETTY WARS. THE FIRST CRUSADE. OPPRES-
 SION OF THE PEOPLE. CIRCUMSTANCES OF WILLIAM'S DEATH.

WILLIAM RUFUS lost no time in setting sail for England. He had a letter from his father for Lanfranc, and the primate was well inclined to a prince whom he had educated and consecrated knight; but as the price of his adhesion, he took care to exact a promise that William would show grace and right, defend the Church, and follow Lanfranc's counsel. The English clergy would naturally follow their head, and William was politic enough to fulfil the terms of his father's bequest to the monasteries and royal servants, and even added large gifts to the churches of the crucifixes and precious plate which the treasury contained. His coronation at Winchester was apparently accepted by the nobles, but was not confirmed by a vote from the royal council. The English were well pleased at a change that promised to sever the connection with Normandy. But the great lords who owned estates in both countries foresaw that they might be exposed to the hazards and losses of a divided allegiance. Enough of William's character was already known to show that his vices had no alloy of

weakness, and that he would exact obedience as unsparingly as his father. Their first exercise of kingly power showed the difference between the brothers; Robert dismissed the prisoners or hostages at his father's court with presents proportioned to their rank; William took the earl Morcar and Wulfnoth, Harold's brother, with him to England, and at once consigned them again to a prison.

It was certain that the Norman barons would not long allow such excellent reasons and excuses for rebellion, as a doubtful succession afforded, to rust for want of use. Eudes of Bayeux had been restored to his former position of nominal first man in the kingdom: and his old jealousy of Lanfranc, the real depository of power, soon revived.¹ A rebellion was plotted with the principal lords, and so contrived as to break out in every part of the kingdom at the same time (April, A. D. 1088). Wulfstan, bishop of Worcester, succeeded in driving back the insurgent army of Shropshire and Herefordshire; but Norwich, Durham, and Bristol, fell into the hands of the rebels, who spread over the neighbouring districts, laying waste the country as if they had no share in it. In this extremity William appealed to the lesser gentry, chiefly of English origin, and promised them better laws, in particular some relaxation of the forest-laws, if they would support him in a cause that was really their own. The instinct of confidence in a new king had not yet been worn out by William's acts, and a well-appointed, though not very numerous, army of English

¹ Compare the two statements; "Ad nutum illius (sc. Lanfranci) totius Regni spectabat intuitus." Eadmer, *Hist. Nov.*, lib. i. p. 301. "So well did the king by the bishop (Eudes), that all England fared according to his counsel and as he would." *A. S. Chron.*, A. 1088.

obeyed the royal summons; all who failed to appear were branded as "nithings" or craven, and disgraced for life.¹ The king's chief care was to keep the coast in his own possession. Robert, who had not opposed his brother's accession, was now preparing to cross, on an invitation from the insurgents. His preparations were made so slowly that the first detachments were defeated as they arrived, and William had time to crush the rebellion. First storming the castle of Tonbridge, he advanced to Pevensey,² and captured it after a siege of six weeks. Eudes of Bayeux was among the prisoners. The king incautiously trusted him to parley with the garrison of Rochester; Eudes broke his parole, and again joined the rebellion. But he had miscalculated his chances: the summer was very hot, and the garrison suffered so severely from the vermin bred among them, that they were forced to capitulate. The English, who had now mustered in force, clamoured that the traitor bishop and his confederates should be hanged. But the Normans would not allow their king to proceed to extremity against his countrymen. Eudes, who had blessed the Norman banners at Hastings, was allowed to slink unharmed through the camp, with the royal trumpets blaring, and the English imprecating curses on his

¹ Probably the nothing who failed to follow his lord in war suffered civil disability, like the craven who was vanquished in a duel.

² Flor. Wig., vol. ii. p. 23; Malmesbury, lib. iv. p. 489; A. S. Chron., A. 1088; Orderic, vol. iii. pp. 273, 274. The length of the siege of Pevensey will explain the discrepancy in the words of Florence, "*mediocri exercitu*," with those of the Saxon Chronicle, "then came

to him much people." The king's first success had decided the waverers. But it is clear that there was no great national movement to support William, though his cause was the English one. The chief reason why Eudes failed seems to have been that he was better known than loved in Kent, where his manors had been. "*Pene omnes optimates ejusdem provinciæ (sc. Cantie) erant cum rege*." Flor. Wig., vol. ii. p. 23.

head. The rebellion now died out, and William was presently able to revenge himself on his brother by invading Normandy. Through the faithlessness or corruption of the Norman barons, he had soon mastered half the fortresses in the duchy. Even in the mother-city of Rouen the citizens, weary of their "sleepy duke," rose up in arms and drove him shamefully through the streets, but his brother Henry retrieved the fortunes of the day, and hurled Conan, the rebel leader, with his own hand, from the battlements of the citadel (Nov. 3, A. D. 1090). The French king, who came in to assist his Norman vassal, was bought off with English gold. But Robert had the one resource of being a good soldier; he sustained the war till the barons were weary of it, and after much bloodshed the brothers were reconciled. It was agreed that each should keep his own, even to the Norman castles which William held, that the estates of their partisans in either kingdom should be restored, and that if either king died childless, England and Normandy should be reunited under the survivor. Robert's renunciation of his claim, for the present, was in some degree compensated by the grant of large estates.

From the moment that William was undisturbed master of England, his tiger-like disposition, rapacious, lustful, and cruel, began to show itself. When Lanfranc remonstrated with his pupil, and reminded him of old promises, he was met with the answer that men often promised more than they could perform. Yet there was a visible change for the worse when Lanfranc died (A. D. 1089). It was no slight evil that the vast estates of the archbishopric were sequestered by the king; the see left vacant; and the indignant monks of Christ-church portioned off on a small allowance from their own property.

The injury to public morality became greater, when every bishopric was successively treated in the same way; and funds, which by primitive custom had been devoted to the poor or the Church, were poured into the royal treasury. But worst of all was the replacement of Lanfranc as minister by the worthless Ranulf Flambard, who had settled in England under Edward the Confessor, had been a landowner under the Conqueror, and, as administrator of the vast diocesan estates of Lincoln, had made himself thoroughly acquainted with the country. Ranulf's restless love of mischief was united to unquestionable ability. He drew down the curses of high and low on his head by proposing a fresh census, and more accurate measurement of rateable property. In the old survey loose averages had been taken; there was no doubt but that line and rule would give very different result. The scheme was adopted, but never executed; Rufus died too soon, and his successors were more careful of popularity. In the court, Ranulf's overbearing insolence at last provoked a plot to carry him off to sea; and he was actually kidnapped. It speaks well for the character of the man, "always great-hearted in danger," that his first thought was to throw his official seals into the Thames, lest they should be misused for political purposes.¹ In the issue between promises and expostulations, he prevailed on his captors to set him

¹ "Annulum quem digito illius et notarius suus sigillum illius." Simeon Dunelm: X Scriptores, c. 59. "He cast the Privy Seal, as well as the Great Seal, into the water." Palgrave's *Normandy and England*, vol. iv. p. 65. Mr. Foss quotes Spelman

as considering Ranulf to have been chancellor, but doubts it himself. *Judges of England*, vol. i. p. 56. There is, however, an interval of years unaccounted for in the chancellorships under William II.

free, and re-appeared at court like a vampire demanding fresh victims. It was Ranulf who devised the doctrine that bishoprics were ordinary fiefs, which the king might give or withhold at pleasure, and might dispose of at his own terms. He obtained his reward in the rich bishopric of Durham, which was granted to him for a thousand pounds—a small price for such a benefice, but enough to qualify Ranulf as a son of Simon Magus.

William Rufus himself impressed his contemporaries in a manner which is vividly reflected in their histories. His person was not remarkable; he was a short, square-shouldered, fat man, with a ruddy complexion, and light flax-like hair;¹ his eyes blood-shot and of no certain colour; his forehead irregularly marked. He stammered in speaking, and frequent fits of passion increased the infirmity. At once greedy of money and reckless of expense, he squandered large sums upon dress, and vied with the fops of his time in costly boots, curving upwards from the sole, whose price, to the great gain of his servant, was for ever fixed at a mark. What revelry went on in the palace may be judged from the fact that the use of lamps at night was given up; the deeds done would not bear light. The king's fierce passion did not even spare those whom a convent sheltered, and his visits were dangerous to every beautiful recluse. There were worse abominations of which men talked privately. But his contemporaries were most horrified by his im-

¹ As Malmesbury's words are express, "*colore rufo, crine subflavo*" (lib. iv. p. 504), it is probable that the misnomer "Rufus" attached to William as a term of reproach, justified by his complexion. "The red man is a rogue," say the proverbs ascribed to Alfred; "quarrelsome, a

thief, king of mischief." Judas was painted with red hair. Kemble's *Salomon and Saturn*, pp. 248-255. Compare a Latin fable about the fox and the goat, which ends with the moral, "*monet nos hæc fabula rufos evitare.*" Percy Society, vol. viii. pp. 168, 169.

piety. When some fifty Englishmen accused of poaching had passed the ordeal of fire, Rufus, who coveted their wealth, declared that God was manifestly no just judge, and punished the men notwithstanding.¹ When his clergy complained that the taxes were excessive, he bade them strip the gold off their coffers of dead men's bones.² He took money from a Jew to convert his son back again from Christianity; the young proselyte held out against the king's arguments; and William reluctantly gave back half his fee, keeping half for his advocacy. Once when the Jews of London were bringing gifts, he encouraged them to discuss their differences with the bishops and chaplains of his court, protesting that he was open to conviction, and would turn Jew if the Hebrew party prevailed. A stormy discussion ensued, and the terrified churchmen are said to have won the field more by noise than by argument. Yet the king had some glimpses of a better nature. He was liberal in rewarding those who served him. He took into his service and paid handsomely a soldier who had unhorsed him in battle. Hélie de la Flèche, count of Maine, had been captured in a war to assert the independence of his province, and giving up his capital on a promise of liberty, was brought before the king for an interview. His offer of homage was scornfully rejected. "When I am once free," said Hélie, "I know what I will do." William shook his fist in his face, "Go at once and do thy worst. I will never claim it as a favour that I admitted thee to terms." Next year (A. D. 1099) Hélie recovered his old town. The news reached William in the New Forest. He rode at once to the coast,

¹ Eadmer, *Hist. Novor.*, p. 412.

² Malmesbury, lib. iv. p. 501.
From a passage in the *De Pontifici-*

bus, (Gale, vol. iii. p. 377,) it seems the advice was followed in one instance.

and put out in an open skiff through a stormy sea; the captain in vain expostulated: "Fool," said William, "did you ever hear that a king of England had been drowned?" His sudden arrival secured him the last success of his life, and Mans was re-taken, though a failure before the little fortress of Mayet, tarnished the lustre of the campaign. In fact, in spite of his vices, William was a man of energy and ability. No rebellion against him succeeded. The Northumbrian earl, Robert of Mowbray, irritated at being called to justice for the plunder of some Norwegian traders, essayed to organize a revolt (A. D. 1095). A conspiracy was formed in the king's own court to betray him into an ambush in the woods, and crown Stephen of Albemarle in his stead. The plot was betrayed by Gilbert of Tonbridge, and William, foiling the ambuscade, marched rapidly against Tynemouth castle,¹ and waited there two months till it was stormed. The count was enticed out of Bamborough and captured, and his young wife was compelled to surrender the castle by a threat that her husband should be blinded before the walls.² Robert expiated his crimes in prison, while his chief counsellor, Morel, purchased the privilege of a dishonoured exile by giving up the list of conspirators. It included some of the highest names in the kingdom. Hugh of Shrewsbury was fined £3000; Roger de Laci banished; William of Eu, who offered to clear himself by the duel,

¹ Sir F. Palgrave connects a Welsh foray, in which Montgomery castle was taken, with the conspiracy. This is hardly probable, as Hugh of Shrewsbury, on whom the loss fell, was among the conspirators.

² She had been married only three months. Madonna Caterina, when

called upon to deliver the castle of Forli, or see her children killed, replied that she might get other children, but could never get another castle. Machiavelli, *Discorsi sopra la prima Deca di Tito Livio*, lib. 3, c. 6.

but proved faint-hearted or unsuccessful, was barbarously mutilated; while William of Aldery, who had stood godfather with the king, was scourged through the churches of Salisbury, and died on the gallows protesting his innocence. Had William lived longer, he might have compensated the people for the gross lawlessness of his favourites and officers, by crushing the power of the great nobility. With the instinctive policy of his race, he distributed the lands and offices that lapsed by death to new men and creatures of his own. But the war with feudalism demanded more space than a single life, and a more steady purpose than the selfish interest of a single man.

The wars of this reign are mostly of small importance. Malcolm Canmore of Scotland, who had married the sister of Edgar Ætheling, and whose court was filled with Norman and English exiles, ventured, during William's absence in Normandy (A. D. 1091), to ravage the northern counties. The English king prepared to avenge the insult signally, but commenced operations too late in the autumn; a storm destroyed most of his fleet, and hunger and cold made fearful havoc among the cavalry. Robert, who was now in England, and Edgar Ætheling, whom William had despoiled and banished, interposed their mediation in time to prevent a great battle on the banks of the Wear. Malcolm consented to do homage, and was promised the English manors and pension which he had enjoyed under the Conqueror. But the feud between the two princes was unappeased. Next year William made a military progress to the north, witnessed its desolation, and planted a colony at Carlisle.¹ Some new quarrel seems to have risen out of this; and when

¹ The Saxon Chronicle, A. D. 1091, says: "King Malcolm . . . went with his force out of Scotland into Lothère

in England." Dr. Lingard interprets this of "the Lothians," and remarks, that the old province of Valentia

the Scotch king visited the court at Gloucester soon afterwards, he was required to do the king right according to the sentence of the English barons, and was not admitted to William's presence. He retired in disgust, and again invaded Northumbria, where the earl Robert of Mowbray surprised and slew him. His death was the signal for civil war in Scotland. The Gaelic and Pictish populations tried to expel the Anglo-Norman intruders. The national party was headed by Donald Bane, the king's brother, who usurped the sovereignty; while Duncan, the late king's son, was replaced by English arms on the throne. After many troubles, during which Duncan was murdered, an English army under Edgar Ætheling, secured the succession to Malcolm's children. (A. D. 1097). The influence of the Anglo-Norman immigrants was, however, checked for a time. William was less successful in his expeditions against Wales. The natives spread over the border counties, burning and pillaging, but retired before the heavy-armed English troops, and allowed them to penetrate into the wilds of the principality, where no plunder could be carried off, where no battle-field was to be won, and where hundreds of active guerillas were always hanging upon the flanks and cutting off strag-

was still considered English. It was so in diplomacy, but not, I think, in fact. Anyhow the words of Florence (vol. i. p. 28), and Simeon of Dunelm, (*X Scriptores*, c. 216,) "*provincia Loidis*," "the district of Leeds," possibly the West Riding (compare Bede, *H. E.*, lib. ii. c. 14; lib. iii. c. 24), seem to give an easier solution. The *Chronicon de Mailros* adds that Malcolm was ravaging Northumbria when William met him, and if the English king had

lost his ships and his horses, it is difficult to think he could have penetrated to the Forth, as Orderic seems to think, (vol. iii. p. 394,) though his words, "the great river which is called '*Scote Watra*,'" are not absolutely conclusive. Probably the Celtic name of the Forth, "*Werid*," has been confounded with *Wiri*, the *Wear*. The *Chronicle* distinctly mentions a second expedition by William northwards next year, and connects the colonizing of Carlisle with it.

glers. The king found that these campaigns were useless, and contented himself with strengthening the military frontier of the west. The last event of these wars under William was the capture of the isle of Anglesey by the earls of Chester and Shrewsbury. In their barbarous fury the conquerors mutilated their captives, tearing out tongues and eyes, and even dragging a priest out of his church. Suddenly a Norwegian fleet appeared off the coast; king Magnus Barefoot, having conquered the Orkneys and Hebrides, was preparing to add Mona to the isles of his empire, and the first arrow, shot from the king's own hand, pierced the sacrilegious earl of Shrewsbury.¹ Yet Magnus did not follow up his success; and though the Normans were at last driven out of the island (A. D. 1098), it was by a revolt of the exasperated natives.

But the chance that threw all Normandy into William's hands more than made up for any petty losses. He had never fulfilled the compact by which he was bound to indemnify Robert, and had extended his own possessions in Normandy on the side of Brittany. Robert appealed to arms, and was unsuccessful. But in A. D. 1096 all Europe was ringing with the cry to arms to deliver the Holy Sepulchre. France, Flanders, and Normandy were the countries in which the cross was most readily taken. Robert's impulsive nature was kindled with the new enthusiasm; William was un-

¹ Orderic assigns this engagement to the coast, near the mouth of the Conway. Vol. iv. p. 31. But Magnus chiefly concerned himself with the isles, which he visited as a conqueror, and not as a plunderer, planting colonies and building towns. Orderic, vol. iv. p. 193. Even on this

occasion he is said to have hoisted a red shield as a sign of peace, so that the Norman attack was unprovoked. For full details of these events, see Girald. Camb., Itin. Camb., lib. ii. c. 7; Flor. Wig., vol. ii. p. 42; Brut. y Tywysogion, A. D. 1096.

affected except by the prospect of personal advantage. Between two men thus minded, a bargain was easily struck; Robert mortgaged the government of Normandy during five years for a sum of ten thousand marks, and departed to win the renown of a matchless knight and the offer of the kingdom of Jerusalem. William remained indifferent; knights leaving their estates unprotected except by the Church's curse on spoilers, peasants breaking the tie that bound them to the soil, and filling waggons with their families to start for Palestine,¹ monks founding new orders that they might pray for those who fought, were probably objects of cynical scorn to the king. Whether his policy was wise may be doubted. He did not live long to enjoy Normandy. He died obscurely at the chase, instead of falling by the side of Tancred or Godfrey. So far as he influenced Englishmen, his example kept in the country the very men under whom the land was groaning. The apathy of England in a European struggle left the glory of representing Europe to others, so that from that time forward Frank was the name for Christian in the East, and the Crusades were recorded as "God's doings through the Franks." The incalculable good which those wars produced is too often underrated. The spirit of travel, of adventure, of intercourse with other nations, an acquaintance with decaying Eastern civilization, are among their lesser benefits. They broke the strength of feudalism in Europe, and created chivalry. War at this time was a constant quantity in states; the crusades did not add to it; but they gave

¹ "Videres maritum cum matronâ iter transferre Penates." Malmesbury, lib. iv. p. 533.
cum omni postremo familiâ euntem;
videres carpentis impositos totos in

men the feeling that it required to be sanctified by a purpose, and they diverted the restless energies of the West from petty feuds to a noble enterprise. We owe it to Godfrey and his companions that Eastern barbarism was rolled back upon Asia, and not first encountered with doubtful issue and certain misery, on the Danube or the Rhine. Had the same feeling lasted to a later century, the brutal savages who have ruined the Byzantine empire and still desecrate its remains, would never have been suffered to expunge a state from the muster-roll of civilized nations. All the misery of the crusades is as nothing compared with the sufferings of nations subject to the Turks during four centuries.

The government of William became intolerable in proportion as it was uncontrolled. When first stricken by illness, the result probably of hard living, he had been maudlin and penitent; but he had enough religion to ascribe his sufferings to God's anger, and swore on a fresh attack that he would never return good for the evil brought upon him. "Never day dawned," says his chronicler, "but he rose a worse man than he had lain down; never sun set, but he lay down a worse man than he had risen." Yet his hand prospered in all that it found to do; the sea and the wind seemed to obey him; an old Greek might have seen the approaches of Nemesis in fortune so unvaried as to be ominous. His court were as lawless as their master, and plundered the houses in which they were quartered, or insulted the honour of women. What they could not carry off or sell, they often heaped before the owner's door and burned, and their grooms were encouraged to wash the horses' feet in ale. The primate was driven out of the country; the benefices were sequestrated as they fell vacant, till three sees and twelve abbeys passed into the hands of

Ranulf Flambard.¹ It was said the king meditated turning all or most of the church lands into military fiefs.² Where every man in the country not of his household had a direct interest in his death, it is not wonderful if vague hopes and belief in divine vengeance, and perhaps intimations of plots against him, passed into prophecy. The night before his death, William himself, it was said, dreamed that his blood spiriting up to heaven had blotted daylight out. When he rose a more terrible vision was reported to him. A foreign monk had seen him in a dream insulting the crucifix, and at last spurned to the ground amid clouds of fire and smoke.³ Nevertheless the king, having drunk rather harder than usual, went out, as was his wont, to hunt. (Aug. 2, A. D. 1100). That evening he was found dead, with an arrow in his heart, by some charcoal-burners; they threw the body upon a cart, and took it to Winchester. A low tomb of black marble, just one remove above the grassy hillock that marks a peasant's grave, tells where the second Norman king was buried in the cathedral. Popular belief said that Walter Tirel, aiming at a deer with a bolt given him by the king himself, had struck an oak; the arrow had glanced back and killed William. Tirel had exchanged some rough pleasantries with the king on the previous night, and his instant flight into France appeared to confirm the suspicion; yet he himself, at a

¹ Five sees and eleven abbeys. Petrus Blesensis, Gale, vol. i. p. 111. Three sees. Hen. Hunt., Savile, p. 217. Three sees and twelve abbeys. Malmesbury, vol. ii. p. 511. Even this smaller list, however, seems to include the see of Canterbury, which was not legally vacant. Flor. Wig., vol. ii. p. 46.

² Girald. Camb., de Inst. Princ., p. 167.

³ These visions, which are told with many variations, are not unimportant, as they probably arose from vague intimations of a plot. "Rufus spiculum invidiæ quo suffocatus est in se visus est provocasse." Joan. Saresb., Polycraticus, lib. iv. c. 43.

time when he had nothing to hope or fear, declared solemnly to a friend that he had not been in the same part of the forest with the king. His conduct is intelligible, if we suppose that accident made him acquainted with the secret of the actual murderer, whom it might be perilous to denounce or trust. Prince Henry was in the forest that day, and profited most by the king's death. In the times of Henry VIII., when monks were out of favour, it was currently said that they had delivered themselves of a persecutor.¹ The grave of William Rufus, unwept and unhonoured, will never disclose its secret till it gives up its dead.

¹ Suger (Vit. Lud. Gros., p. 283) is the witness to Tirel's protestations of innocence. He was a Frenchman, lord of Poix on the Somme, and seneschal of Pontoise. He had therefore no interest in the king's death.

The charge against the monks is reported by Nicander Nucius. Travels, pp. 34, 35. Giraldus Cambrensis says, that Radulfus de Aquis was the shooter. De Inst. Princ., p. 176.

CHAPTER XXVI.

HENRY BEAUCLERK.

HENRY'S ACCESSION AND MARRIAGE. HIS CHARACTER AND TRAINING.
 COMPROMISES WITH ROBERT. CONQUEST OF NORMANDY. PETTY
 WARS WITH FRANCE AND ANJOU. FLEMISH COLONY IN WALES.
 NATIONAL DISTRESS. POLICE AND JUSTICE. SHIPWRECK OF PRINCE
 WILLIAM. SUCCESSION TO THE CROWN. HENRY'S DEATH.

ON learning the death of his brother, Prince Henry hastened to Winchester, and claimed the royal treasures. Their guardian, William de Breteuil, declared his intention of keeping them for the rightful heir, the Crusader Robert, but Henry drew his sword, and William gave way half overpowered, half persuaded by the by-standers to withdraw his opposition. Two days later, Henry was crowned at London by its bishop Maurice, as the primate Anselm was an exile on the continent. The only title which the new king could claim was derived from the well-known intentions of the Conqueror to disinherit his eldest son of England. But Henry was easily able to secure adherents; he bought over the clergy with the vacant benefices, the nobles with grants of money, and propitiated all classes with promises of reform. Old offences were to be condoned; the laws of king Edward enforced, and church privileges respected. Feudal dues were to be mitigated, and lands owing military service were freed from other burdens. The king's licence for marriage was no longer to be put up to sale, and widows were not to be married

against their will. The liberty of bequest, which Rufus had called in question, was restored. The only unpopular act was that by which the king kept the forests in his own hand.¹ Lastly, to conciliate his English subjects, already well disposed to a prince who had been born among them, Henry determined to marry the daughter of Malcolm Canmore, by Margaret, sister of Edgar Ætheling, who represented the claims of the Saxon dynasty. There was some difficulty in the way of the marriage, for it appeared that the princess Edith had taken the veil in the convent of Rumsey, where she was educated. But the lady deposed that her aunt, the abbess Christina, had thrown it over her to secure her from outrage, during the lawless reign of the late king, from himself or his followers.² Anselm, who had now returned to England, decided that the princess was not bound by a profession to which the heart had not consented, and declared her free from the obligation of celibacy. Edith, on her marriage, assumed the name of

¹ Charta Hen. I^{mi}, A. S. Laws, vol. i. pp. 497-500. There is no authority for Thierry's assertion that Henry took away and destroyed the copies of this Charter, which had been deposited in the principal churches of the kingdom. If he had done so, London, York, and St. Alban's, where Thierry supposes the copies to have escaped by accident, were the last places to remain unvisited. *Conquête d'Angleterre*, tom. ii. p. 244.

² Eadmer's testimony is express, and, as a member of Anselm's household, he must have known what reasons were officially given. *Hist. Nov.*, lib. iii. p. 426. Heriman, third abbot of St. Martin, who was also present at the conferences, states that the veil was first worn on the

occasion of a visit by William Rufus, who came professedly to see the convent flower-garden, but whose violent passions were dreaded by the abbess. A week after, Matilda's father came, and ordered it to be laid aside. Eadmer, *Hist. Nov.*, lib. iii. pp. 429, 430; note by M. Henschen. But Malmesbury says that she affected wearing the veil to avoid being given in marriage to an unworthy favourite, and Eadmer implies that her father intended her for count Alan of Brittany. Probably she had worn the veil more or less habitually. Anselm evidently thought so, for he gave his consent reluctantly, and prophesied that no good would come of the marriage. *Lib. iv.* p. 649.

Matilda, and was known among the people as "the good queen Maud." It was with reluctance she had consented to a marriage which brought her no happiness; unlovely in person and ascetic in tastes, she never won her husband's affections; and when she had borne him two children, he permitted her to retire again to a convent. Her last years were spent in the cultivation of church music, of which she was passionately fond, in the study of ancient authors, whom she loved to quote,¹ and in ministering with her own hands to the wants of the sick and poor. The Norman nobles regarded her with contempt. When she first appeared at court by the side of her clerkly husband, the rough soldiers who remembered the wars of the first William and the orgies of the second, jeered openly at "Godrik Godfadyr and his wife Godiva." Henry laughed grimly at the raillery; he never showed his anger out of place, and he never laid it by.

The Conqueror's youngest son had the stature and general features of his family; but the high forehead, inherited from his father, the dark complexion and quiet thoughtful eyes peculiar to himself, indicated a statesman rather than a soldier. Thrown early upon the world, Henry had been trained in a rough school. He had spent a large portion of his inheritance in buying the government of the Cotentin from Robert, who discharged the obligation by throwing him into prison. A reconciliation was effected, and Henry did

¹ See a curious letter from Matilda to Anselm, in which she quotes Cicero de Senectute, and warns him not to follow the examples of Pythagoras, Antisthenes, and Socrates, in excessive fasting. Anselm, Epist.,

lib. iii. 55; and another, lib. iii. 119, in which she commends his style as having "Frontonica gravitas, Ciceronis Fabii aut Quintiliani acumina."

good service in the revolt of Rouen, recovering the town when the duke fled from it in a panic. A few weeks passed, and the fickle Robert had united with William to besiege Henry in his castle of Mont St. Michel. That Robert behaved with knightly courtesy, in refusing to starve his brother out, is true; but he continued the siege till the castle was surrendered; and Henry spent the next few years of his life without money or men, with a beggarly household of one squire and a priest. He was probably the better scholar, but not the milder man, for these experiences. As king, he soon made himself respected; he was a pleasant companion at times; but no man could withstand "the imperious thunder of his voice;" and it was remarked that he was inscrutable: his praise was often a sure sign that he meant to ruin. He brooked no rivalry and forgave no insult; the old favourite, who had boasted that he could build as grand a monastery as the king, was ruined by suits at law, and died broken-hearted.¹ The foreign knight who satirized Henry in songs was blinded, in spite of the earl of Flanders's intercession, and dashed out his brains in despair.² Where the king's ambition was interested, he was careless what suffering he caused; he oppressed the people with intolerable taxes; and punished one of his own daughters for rebellion by dragging her through a frozen moat.³ Yet Henry possessed merits of a high order. He was not moral, but he was not shamelessly vicious; he was

¹ Robert Bloet, bishop of Lincoln. He was a loose liver, but a capable man, and had been justiciary of England. *Huntingdon de Mundi Contemptu*; *Ang. Sac.*, vol. ii. pp. 694, 695.

² Luc de la Barre-en-Ouche, who was not even a vassal. *Orderic*, vol.

iv. pp. 460, 461.

³ Juliana de Breteuil, a natural daughter. Her husband had blinded the son of a royal officer, and Henry had allowed the injured man to retaliate on Juliana's two children. *Orderic*, vol. iv. pp. 336-338.

moderate in dress and food; his conversation was pure, and his court decorous.¹ He honoured learning and talent, formed a menagerie at Woodstock, and promoted the formation of a vernacular Norman literature. He advanced the fortunes of Roger the Great, whom he had chosen chaplain for his skill in hurrying through the mass, but who proved a first-rate justiciary, and adorned his see with the splendid cathedral of Salisbury. He brought over Gilbert the Universal, the first scholar north of the Alps, to be bishop of London. A great historical school flourished in his reign, and the zeal of his son, the earl of Gloucester, for these studies, may well have been derived from a father who looked back with affection on his own "tumultuary" scholarship through all the troubles of his life. Nor was he indifferent to religion; he preferred being served by good men if good men would do his will. He was clear-sighted enough to perceive the importance of uniformity in standards. He fixed the length of the English yard, it is said, by his own arm; and at some immediate hardship he substituted payments in coin, which was instantly smelted down, for the payments in kind by which the taxes had been discharged.² Above all, he had a statesman-like love of order; and devoted himself to the cares of government, when his ambition was satisfied by the conquest of Normandy. He was called by one who survived him: "The peace of his country and the father of his people."³

¹ Malmesbury's praise of Henry as "*obsœnitatum cupidinearum expers*" (lib. v. p. 642), reads a little oddly at first by the side of Huntingdon's invective, and in contrast with the known fact that the king had fifteen natural children. But

Malmesbury only meant that Henry was not tainted by the monstrous vice then prevalent, "*advena delectatio*."

² Dial. de Scac., lib. i. c. 7.

³ Gesta Steph., p. 1.

The first six years of Henry's reign were occupied with the establishment of his power and the conquest of Normandy. Robert had returned to his province, with a beautiful Italian wife, Sibylla of Conversana,¹ with the fame of a crusade, and with treasure won in the east. He would probably have remained inactive in spite of all these advantages, but a visit from Ranulf Flambard, who had been consigned to the Tower, and contrived to escape from it, determined him to assert his rights to England. The invasion was skilfully managed; the support of a large party in England secured; Henry's ships intercepted or induced to desert, and a landing finally effected at Portsmouth, while a large army waited to oppose it at Pevensey. But a fresh battle of Hastings would have been fatal to the Norman ascendancy; the barons mediated; and Henry, as the English candidate, was allowed to retain the kingdom, while Robert received in compensation all his brother's possessions in Normandy, and a yearly income of two thousand pounds of silver from the English treasury. Robert was thus for the first time in possession of the whole of the duchy. Yet the terms were better than Henry had any right to expect, as they set aside the old treaty which Rufus had made with his brother. The king owed his success chiefly to the support of the earl of Leicester, whom Robert had once thrown into prison, and of Anselm, who threatened to put the duke of Normandy under

¹ The beautiful legend, commonly told of queen Eleanor, that she saved her husband's life by sucking a poisoned wound, is related by Sylvius of Sibylla. He adds that Robert visited Apulia, in order to consult the famous physicians of Salerno, who addressed a book on dietetics

to him, which is still extant. This gives some probability to the narrative, and two crusading princes may easily have been confounded. Dr. Lingard has shown that the story cannot apply to Edward I. Schol. Salern. Sylv., Præf., cap. 3.

ban. Henry now took vengeance upon the insurgent barons. He singled out Robert de Belesme, earl of Shrewsbury, at once the most dangerous and the least popular, and summoned him before the court of his peers on forty-five different charges. The king and Robert were old enemies. The first town Henry ever possessed had been Domfront in Normandy, which called him in to defend it against the earl's intolerable oppression; and Henry had stipulated in his late treaty that he should still retain that one place in the duchy.¹ Finding that his conviction was decided on, Robert quitted the court, and rode off to his castles, fortifying Bridgenorth, but taking shelter in Arundel. Henry shut him up there by a chain of forts, and invested Bridgenorth with his whole forces, buying off the Welsh, on whose support the earl had relied, and pressing the siege with the artillery of the times. The terrified townsmen forced the garrison to surrender, and the soldiers of Arundel followed their example, only stipulating for the earl's safe passage out of England. The king's complete success was very much owing to the enthusiasm of his English troops, and was far from satisfactory to the barons. He followed it up by fining some of his old opponents and banishing others. Among these latter was William de Warenne, earl of Surrey, who repaired to Robert's court, and entreated his good offices with the king. Robert imprudently crossed the channel to remonstrate with his brother on this violation of the treaty. The duke was honourably received, but it was privately hinted to him that he had en-

¹ Domfront had transferred its allegiance to him A.D. 1092. Orderic, vol. iii. pp. 384, 385. Had he given it up, it would almost certainly have reverted to Robert de Belesme.

tered the country without a passport, was suspected of stirring up revolt, and likely to be imprisoned. In public the two brothers affected friendship. But Henry complained bitterly that his most dangerous enemies, such as Robert de Belesme, were invested with estates in Normandy in flagrant violation of the treaty which provided that neither should harbour the other's enemies. Robert was terrified, and promised to reform all of which the king complained, while Henry agreed to pardon the earl of Surrey. With singular baseness, Henry instructed his queen to ask Robert to give her up his English pension: and the duke, at once prodigal of money and doubtful if a refusal might not endanger his liberty, complied with her request.¹ The royal greed of money did not stick at trifles. When Magnus, the last great sea-king, was slain in Ireland, he left behind him an enormous sum, it is said 20,000 lbs. of silver, in the hands of a citizen of Lincoln, who had been his banker: the king imprisoned the merchant, and confiscated the money.

Robert's ransom having been paid, he was allowed to return into Normandy. But his want of firmness in England had not added to his prestige; his wife, Sibylla, who blended Italian statecraft with womanly gentleness, was poisoned by a rival; and the helpless and vicious duke, now about fifty, abandoned himself to loose women and worthless men.² The disorders of his court are incredible; it is said he was plundered till he often lacked bread to eat, and was forced to lie in bed from the want of clothes to put on. His wary brother

¹ I have followed the account of 161-163.
Orderic, which seems to me the most
probable. Orderic, vol. iv. pp.

² Gul. Gemit., lib. vii. c. 13.
Orderic, vol. iv. pp. 104, 184.

was watching the opportunity. Before long the cruelties of Robert de Bélesme had become intolerable. He was known as Robert the Devil throughout Normandy. His sport was to impale men and women; he once put his hand under the hood of a child whom he held at the font, and scooped out its eyes in mere wantonness. The sense that he was detested made him moodily suspicious as well as barbarous. All Normandy and the duke himself confederated against this monster. But his skill and fortune protected him; he captured several men of high rank among his enemies, extorted a treaty which confirmed him in possession of all his hereditary estates, and threatened to reduce the duchy. Henry now affected to be anxious for the safety of his Norman possessions, and sent over troops to secure them. Next year, A. D. 1105, he invaded Normandy at the head of a well-appointed army. Caen was easily taken; its citizens had already shut their gates against their beggarly and extortionate duke; but Bayeux was faithful to its native lord, and made a gallant defence before it was overpowered. Still the fate of the war was doubtful, as the Normans did not wish for a strong government, and as Henry's quarrel with Anselm impeded his operations. The king accordingly proposed that the duke should resign his government and be indemnified by a proportionate income. Robert rejected the offer as an insult. Henry then made a great effort, and raised money by plundering the English clergy and reducing the country to beggary. With an army thus supported, he encountered the Norman forces at Tenchebrai, near Mortain (September, A. D. 1106). The custom of heavy armour had come in, and when the front lines met, they were unable in the press of war to move backwards or forwards. While they stood shout-

ing and pushing, Hélié of Mans, who commanded Henry's mercenaries, charged the flanks of Robert's army, where the unarmed retainers were stationed, who were only employed to give solidity to the column; these men were easily slaughtered; and Robert de Belesme, giving up the battle as lost, fled with his men. Only two or three hundred had fallen on the Norman side, but the battle was as decisive as that of Hastings had been to England. The duke himself, and the earl of Mortain, Henry's cousin, and Belesme's nephew,¹ were taken captive. The latter was with difficulty saved from the soldiery, and for a worse fate than death: he was blinded in prison. Robert was so broken by this misfortune that he instructed his brother in what way to win Falaise, where the duke's son, prince William, had been left in the guardianship of a faithful follower. Henry, anxious to conciliate public opinion, committed the young prince to the care of his half-brother, Hélié de Saint Saens; it was the only generous indiscretion of the king's life, and he lived to regret it. Robert was consigned to an honourable imprisonment at Cardiff: he had all he could wish for, except liberty and power; and he lived, probably with no great change in his habits, to the ripe age of eighty, when he died unregretted, except by the disorderly. His death, A. D. 1134, is said to have been occasioned by pique at the gift of a robe from Henry, which the king had tried and found too small for himself. The economy is in keeping with Henry's character, and the mad passion with his brother's. But the story rests on no sufficient

¹ He was the son of Robert, earl of Mortain, and brother of William the Conqueror by Matilda, sister of Robert de Belesme. Orderic, vol. ii. p. 412. "Normannorum pro-

ceres, alii capti, alii incarcerati, alii exheredati usque in hodiernum diem." Joan. Saresb., Polycraticus, lib. vi. c. 18.

authority.¹ It is more certain that, during his brother's lifetime, the king did not assume the title of Duke of Normandy.

Henry restored peace and order in the province he had won, and destroyed the numerous castles which the nobles had erected in defiance of law,² but his dominion was never quiet or secure. Louis VI. of France, the young prince William, whose guardian had fled with him, and whose claims Baldwin of Flanders supported, and Fulk of Anjou, who inherited Maine from Hélie de la Flèche,³ were the enemies whom no defeat could intimidate, and no peace attach. On the part of Louis, if a romantic story related by grave historians be true, war with England was gross ingratitude. He had been sent to the English court with sealed letters, in which his stepmother requested the king to kill him; and Henry had declined the odium of an unprofitable murder. Ambition proved a more powerful motive than gratitude. But two wars of four and five years' duration, from A. D. 1109 to 1113, and from A. D. 1116 to 1121, did not advance the French frontier an inch. The battles fought were mostly nothing more than the skirmishes of a few knights; and perhaps their most important result was the seizure of Robert de Belesme, who

¹ It is one of the additions which Matthew Paris made to Wendover's *Flores Historiarum*. Wendover, vol. iv. p. 214; vol. v. p. 64. The legend that Robert was blinded is only found in one manuscript. Probably, therefore, some third annalist, who confounded Robert and the earl of Mortain, is responsible for it. Wendover, vol. v. p. 59, note. Orderic makes Henry boast of the liberal treatment his brother enjoyed. Vol. iv. p. 402. John of Salisbury

confirms this. Polycraticus, lib. vi. c. 18.

² "*Adulterina castella*." Orderic, vol. iv. p. 236.

³ Hélie had been allowed to recover Maine on the death of William Rufus, holding it of Henry, whom he so powerfully assisted at Tenchebrai. But he was originally vassal to Fulk, who accordingly claimed Maine at his death, and refused to do homage for it. Orderic, vol. iv. p. 99.

ventured, as French ambassador, into England, and was thrown for life into prison (A. D. 1112).¹ Their one brilliant episode was the battle of Brémule (A. D. 1119), in which the two kings were personally engaged. Five hundred heavy-armed English soldiers defeated four hundred French, only three men falling on the two sides, though a hundred and forty French were taken prisoners. Yet the struggle for a few moments had been sharp, and Henry himself had only been saved by a helmet of proof from death on the battle-field. It was almost a misfortune for society that the rich man was comparatively scatheless in his iron panoply, and offered a better booty living than dead, so that all the horrors of war fell upon the lower ranks. Henry's reputation was enhanced by his victory, for he had determined a divided council to engage, and Louis was a little disgraced by a precipitate flight. But the English king did not push his advantages, and steadily preferred alliances to conquests. A threatened marriage between count William and Fulk's daughter, with the dower of Maine, was arrested by English diplomacy, which proved that the affianced lovers were within the eleventh degree of affinity. It was Henry's singular fortune to outlive his spirited nephew, who died (A. D. 1128) when he was already count of Flanders, and might fairly look forward to the English succession. But Normandy, even if left to itself, was never quiet. In A. D. 1123 there was open revolt, and only the king's energy carried him successfully through the crisis. He had anticipated the conspirators' schemes, and took the field before their plans were matured. Henry, however, knew that he was not a soldier, and the fate of war had not always been pro-

¹ Malmesbury, lib. v. p. 626; note by Mr. Hardy.

pitious to him. He therefore displayed what his contemporaries thought an undignified anxiety to secure the unprincipled Fulk of Anjou in his interests, and disgusted the Norman barons by marrying his daughter Matilda, heiress of England and dowager empress of Germany, to Geoffrey of Anjou, a boy, a Frenchman, and no fit match for royalty. The union was not a happy one. Matilda disliked her husband, and did her best to embroil him with her father, at whose court she resided by preference.

Henry's wars in Normandy had the good effect of forcing him to keep peace in England. His marriage with an aunt of the Scotch king was a further reason for friendly relations with Scotland. He extended the Anglo-Norman power over Wales by demanding and obtaining that the Welsh prelates should obtain investiture from the see of Canterbury, and by planting a Flemish colony in Pembrokeshire. These men were partly emigrants from the districts near the mouth of the Rhine, which had lately been inundated. But in part, also, they were old residents in England, for the connection with Flanders was immemorial, and the Flemish birth of Henry's mother attracted many of her countrymen.¹ It is singular that, after at least twenty years' residence in the country, these men, brave, trustworthy, and industrious, should not have been absorbed into the nation. The fact that they had remained distinct, and wanted a home, is a strong proof that the old order of things had never been very violently disturbed. A few thousand foreign soldiers, chiefly Norman, a few hundred barons, ecclesiastics, and merchants, evidently make up the sum of those who were permanently added

¹ Malmesbury, lib. v. p. 628. Girald. Camb., Itin. Camb., lib. i. cap. 2.

to the population of England.¹ This Flemish colony was an important experiment, as it proved successful, and the precedent was imitated by Henry II. Henry I.'s expeditions against Wales were conducted cautiously, and achieved their object by repressing the border forays, and by the exaction of hostages and fines.

Once at rest from war, the king set himself to relieve the misery of his subjects. The oppressions of Rufus had impoverished the land; and the first six years of Henry's reign continued the old misrule; partly because the traditions of bad government were not easily set aside, but chiefly because foreign wars created an urgent need of money, which had to be obtained at any cost. At last all orders were in a state of suppressed insurrection, and troops of peasants used to meet the king as he rode out, throw down their ploughshares before him, and declare that they could no longer till the soil and live. It was clear that the old wealth of the country had been exhausted for a time. Although the castles, which the nobles had erected in defiance of law, were dismantled or occupied by royal troops, there were still many men in the country who had been demoralized by feudal wars or military life on the borders. Many of the peasants in their distress had taken to poaching or brigandage in the forests. The crime of false coining had become a national curse. There were men in every town who farmed the licence to mint money; and as the smallest piece was silver, adulteration was easy and profitable: it increased, in the absence

¹ The strong language of old writers about all foreigners not Norman is remarkable. Lanfranc, when he defeated Raoul de Gael, boasted of "purging the kingdom of the

filthy Bretons." On this occasion Malmesbury observes that Henry "velut in sentinam (sc. Flandrenses) conguessit ut regnum defæcaret." A. S. Chron., A. 1125.

of care to prevent it, till money had become valueless for purposes of exchange; "the man that had a pound could not lay out a penny at a market."

It is difficult to say whether Henry introduced any new principles into his government; but he struck vigorously at the great abuses. The most monstrous of all, the purveyance of the royal officers, was repressed. The coinage had been debased till the king's soldiers in Normandy were unable to use it. Accordingly, the coiners throughout England were summoned to Winchester, and were there one by one blinded and otherwise mutilated (A. D. 1125). It does not seem that any trial was held: it was mere Lynch law; but the people applauded it. A new coinage was issued, and the old withdrawn.¹ The stern measure dealt out to outlaws was less popular. Henry revived the punishment of death; in A. D. 1024 the grand justiciary was sent down into Leicester, which had been peculiarly infested with thieves, and forty-four men accused of burglary were hanged, and six mutilated, at a single session. The sympathies of the people were with the sufferers, of whom several were said to be innocent, while the guilty had probably practised upon the rich. These executions, however, effected their purpose: the land was restored to complete order; and Henry obtained the title of the Lion of Justice. In time he became less severe, and commuted the strict penalties of the law for fines. The

¹ The money hitherto had been stamped with a deep cross, and in trying it to see if it was good, it often broke into fragments, and became useless for exchange. Henry ordered the new coinage to be divided at the mint, so that each piece had a uniform value. Flor. Wig.,

vol. ii. p. 57. Eadmer, *Hist. Nov.*, lib. iv. p. 470. Gul. Gemit., lib. vii. c. 23. Down to the time of Henry I. payments to the treasury were constantly made in kind; and certain dues of corn, fodder, or flesh, were imposed on the different counties. Dial. de Scac., lib. i. 7.

sheriff in every county was the officer in whose hands the police really lay, who looked after the king's rights, and apprehended criminals. From time to time the grand justiciary, or some other royal commissioner, came down, and a general gaol-delivery was made.¹ But the ordinary justice of the country was administered in the local courts; every baron judged his own tenants; and the hundred and county courts decided cases between men on different estates. In these courts something of the old principle was retained, though tempered with feudalism. The earl, sheriff, and baron were presidents rather than judges, in the modern sense. The court was made up of the higher tenants of the districts; every freeman had a right to be tried by his peers, and to challenge any man in the court whom he suspected of private enmity.² The misfortune lay in the numerous exceptions to these principles. In courts held by a royal commissioner, the county had probably no voice. Tenants-in-chief could claim to have their differences settled in the national court, presided over by their suzerain. How far the clergy were amenable to the ordinary tribunals was a question. We learn that Henry once prosecuted the married clergy that he might make money by their fines, and when he was disappointed in the amount, made it up by an arbitrary tax on benefices. We are not certain, however, in what

¹ Thus in the story of Bricstan, a Saxon money-lender, who wished to turn monk, and was instantly arrested on suspicion of concealing treasure-trove, Robert Malart, "who had absolutely no business except to lay informations" (*insidiari*), was probably sheriff of the county. Bricstan was left at large on bail, till Raoul Bassett came down to hold the assize;

and was then imprisoned on suspicion, till a miracle, wrought by St. Benedict for his deliverance, on the model of that at Philippi, melted the grand justiciary to tears, and procured Bricstan's deliverance. Orderic, vol. iii. pp. 123-131.

² *Leges Hen. Iⁿⁱ*, xxxi. 6, 7; A. S. Laws, vol. i. p. 534.

courts they were impleaded by the king's officials, and on their subjection generally to the civil tribunals Anglo-Saxon and Norman theories were at variance. But a terribly vague rule was framed, apparently as a compromise, that no lay evidence should be admissible against priests, except from men whose high moral character would entitle them to take orders.¹ It was partly, perhaps, in the same spirit, partly in order to balance the oppressive power of the nobles, that the bishops were exhorted to resume their attendance at the county courts. It does not seem that they complied. The whole tendency of the times was to separate Church and State, and any assumption of lay functions by the clergy, however blameless its purpose, excused the abuses of feudal tenures and service in the field by men whose kingdom was properly not of this world.

Henry's marvellous prosperity was darkened by one great loss. His only legitimate son, William, had already received the barons' oaths of homage as their future king, when he accompanied Henry on a visit to Normandy (A. D. 1120). When they were about to return by the port of Barfleur, a Norman captain, Thomas Fitz-Stephen, appeared and claimed the right of taking them in his ship, on the ground that his father had been captain of the "Mora," in which the Conqueror crossed to invade England. The king did not care to alter his own arrangements, but agreed that his son should sail in the "Blanche Nef" with Fitz-Stephen. William Ætheling, as the English called him, was accompanied by a large train of unruly courtiers, who amused themselves by making the sailors drink hard before they started, and dismissed the priests who came to bless the voyage with a

¹ *Leges Hen. I^{mi}*, v. 9; *A. S. Laws*, vol. i. p. 507.

chorus of scoffing laughter. It was evening before they left the shore, and there was no moon;¹ a few of the more prudent quitted the ship, but there remained nearly three hundred—a dangerous freight for a small vessel. However, fifty rowers flushed with wine made good way in the waters; but the helmsman was less fit for his work, and the vessel struck suddenly on a sunk rock, the Raz de Catteville. The water rushed in, but there was time to lower a boat, which put off with the prince. When in safety, he heard the cries of his sister, the countess of Perche, and returned to save her. A crowd of desperate men leaped into the boat; it was swamped, and all perished. As the ship settled down, all but three of those on board were washed away. One of these, Fitz-Stephen, drowned himself when he learned that the prince was lost; one perished from cold; the third, a common sailor, was kept warm by his thick sheep-skin dress, and survived to tell the tale. It was a fresh horror of this tragedy that scarcely any bodies were found to receive Christian burial. For more than a day no man dared to tell the king of his loss; at last a page was sent weeping to his feet. Three of Henry's children, but above all the heir of all his hopes, for whom he had plotted and shed blood, were taken from him at a blow. It is said that from that hour he was never known to smile. The loss to his subjects might seem small, as the prince was a worthless young man, noted for insane arrogance and disgraceful vices. Yet there were some who watched the signs of the times,

¹ Orderic gives a poetical description of the moon shedding its light on the waters. But M. le Prevost states that Nov. 25, A. D. 1120, was "jour très voisin de la nouvelle lune

et dans le quel elle resta par conséquent invisible pendant presque toute la nuit." Orderic, vol. iv. p. 414.

and foresaw even then the troubles of a disputed succession.¹

Thenceforward a second marriage with Adelais of Louvain, having proved sterile, the king's statecraft had the one object of securing England to his daughter Matilda. She had been married, in A. D. 1114, to the emperor Henry V. of Germany, but returned, in A. D. 1126, to her father's court, a widow and childless. Henry held a council of his barons, and invited them to do homage to the descendant of Cerdic and William the Conqueror as presumptive-heir to England. The barons unanimously acquiesced, and Henry's nephew Stephen, earl of Boulogne, was among the first to swear. It was afterwards said that Henry let it be understood he would not give his daughter again in marriage without the advice and consent of his lords.² That engagement was violated by her union next year with Geoffrey of Anjou. Geoffrey's family and personal character were unpopular; he had no higher claim than many Normans to marry into a royal house; and there was a strong provincial feeling against Frenchmen, which was heightened by the fact that the English kings had begun to adopt the policy of advancing foreigners to state offices and bishoprics. A doubtful account states that the barons in A. D. 1132 did homage to the eldest son by Matilda's marriage, prince Henry.³ But this second

¹ Eadmer, *Hist. Nov.*, p. 517. Bromton (*X Scriptores*, c. 1013) gives a story, on the authority of Malmesbury, of William's boasting that he would yoke the English to their ploughs. No such story is to be found in the extant works of Malmesbury.

² Malmesbury, *Hist. Nov.*, lib. i.

p. 693.

³ The only authority for it is Roger of Wendover (vol. ii. p. 213), and the reasons which Malmesbury assigns to justify the nobles in breaking their oath to Matilda, would not apply if there had been a second oath to her son.

oath, if it was ever imposed, can only have been taken by a few. Three years after the birth of his heir, (December 1st, A. D. 1135), Henry died of an acute fever, brought on by a surfeit of lampreys. On his death-bed, in the presence of his lords, he renewed the bequest of England and Normandy to his daughter, omitting all mention of her husband, with whom he had quarrelled. The devotion of his last moments edified the bystanders.¹ He directed that the enormous sums in his treasury, accumulated from heavy taxes and the confiscated property of intestates and rich bishops,² should be spent in the payment of his debts and in alms to the poor. The men who broke their solemn oath of allegiance had little scruple about setting aside the unprincipled profusion of a dead king who hoped to redeem his soul with the plunder of his people.

¹ See the archbishop of Rouen's letter, Malmesbury, Hist. Nov., lib. i. p. 702.

² His seizure of the king of Norway's property has been described. When Gilbert, bishop of London,

died, his wealth was seized; and his boots, filled with gold and silver, were carried to the exchequer. Ang. Sac., vol. ii. p. 698. There are doubtless other instances which have not come down to us.

CHAPTER XXVII.

THE QUESTION OF INVESTITURES.

ANSELM'S EARLY LIFE AND CHARACTER. HIS ELECTION TO THE PRIMACY.
DISPUTES WITH WILLIAM RUFUS. THE COUNCIL OF ROCKINGHAM.
ANSELM'S FIRST EXILE. THE PRIMATE AND HENRY I. NEW QUESTION
OF INVESTITURES. ANSELM'S SECOND EXILE. FINAL ADJUSTMENT OF
THE QUARREL. NATURE OF ANSELM'S SUCCESS.

DURING the reigns of William Rufus and his brother, a great battle was fought between Church and State, which powerfully influenced their relations in after time. The hero of this struggle was Anselm, archbishop of Canterbury. Born A. D. 1033, the son of a Lombard father who had settled near Aosta in Piedmont, Anselm showed his devotional tendencies from a boy; his dreams were of heaven, which hung, as he thought, on his native mountain tops, and he prayed to be stricken by illness that his father might allow him to enter a monastery. As he grew in years, the fervour of his first zeal was exchanged for a natural love of knightly exercises, and the memory of his dead mother's piety was the one restraining influence of his life. But the harshness of his father, who had taken a strong dislike to him, determined him to renounce his inheritance, and seek his fortunes abroad. After nearly three years' stay in France, during which his old love of study had revived, he determined to visit Bec and put himself

under Lanfranc's teaching. The austere ascetic life which he led as a student was so little removed from the conventual, that he soon determined to put on the habit, and give his life a higher purpose than the mere occupation of the mind. For a time, indeed, he had doubted if it would not be better to return to Piedmont and live quietly as a country gentleman, promoting the good of his tenantry. Lanfranc and the archbishop of Rouen persuaded him to become a monk, and he entered the monastery of Bec (A. D. 1060), against his first intentions, for he dreaded to be obscured by Lanfranc's eminence. The fear was not unnatural. At this day it would be absurd to contrast the blunt, broad common sense of Lanfranc with the profound and subtle philosophical power of Anselm; great as a statesman, Lanfranc was as a child in abstract thought beside his pupil. But Lanfranc had a more vigorous style, and imposed, so to speak, on the world by his splendid personality; till nearly the end of his life, Anselm's first ambition was still ungratified: he was only the third European teacher, while his old master, and the now forgotten Guitmund, were the first.¹ But Anselm's reputation as a saint was unequalled. A man of infinite tenderness, who astonished his rough followers by sheltering the hare from pursuit, or having pity on the snared bird, it was perhaps through this womanly fibre that he had something of the power, which Loyola afterwards displayed, of winning over men who were on their guard against his ascendancy. Fifteen years prior, and fifteen years abbot of the convent, "he gained the love of

¹ Anselm, Epist., lib. i. 16. "Quod vero queritis, cur fama Lanfranci atque Guitmundi plus meâ per or-

bem volet, utique quia non quilibet flos pari rosæ flagrat odore, etiamsi non dispari fallat rubore."

young and old, of men and women, of rich and poor, and all were glad to minister to him." Yet his rule was strict as well as gentle; it was believed in Bec that the soul of a departed brother had obeyed the prior after death as it was wont to obey him in life, and had come to give an account of its final doom. When Lanfranc was pressing heavily on the English Church, Anselm interposed to moderate his zeal; and defended the commemoration of St. Ælfeg with the noble sentiment that whoever died for justice and truth died for Christ. Lanfranc bowed to his pupil's wisdom. A few years later, the Conqueror lay on his death-bed at Rouen, and prayed that Anselm might come to him. Anselm was ill, and could not obey the command; the king died unshriven and unblessed by the one man in whose presence he spoke softly, or whom he and his sons respected for mere holiness.¹

On the death of Lanfranc, public opinion designated Anselm as his successor. Hugh of Chester, whose wild character was strangely tempered with religion, and who loved to listen to Bible stories and legends of the saints,² invited the abbot of Bec to come over and superintend a new monastery. Anselm suspected that his own promotion was contemplated, and refused to comply, till the earl, falling dangerously ill, summoned him more pressingly, and pledged his honour that no preferment was designed for him. In fact the king had confiscated the archbishopric, and declared that there should be no primate but himself, jesting at what he called the feigned humility of Anselm, who rebuked him to his face for his scandalous life, yet refusing him permission to return to Normandy. But some months

¹ Johannes Saresb., *Ang. Sac.*, vol. ii. p. 162. ² Orderic, vol. iv. p. 4.

later (A. D. 1093) William fell ill, and in a panic resolved to propitiate God by filling up the see of Canterbury with the one priest who dared to rebuke him to his face for his vices. Anselm was literally dragged into the royal presence, implored with many promises to consent, and finally consecrated by force (March 6). Yet he did not accept the office till some months later, when leave had been obtained from his monastery and native sovereign, and when William had made fresh promises of amendment. The conditions agreed on were three in number: that the property of the see should be restored, that Anselm's recognition of pope Urban should be confirmed, and that William should take the primate for "his spiritual father and soul's guardian."¹

Before long, Anselm's previsions of trouble were justified. The ordinary business of his diocese was sufficiently trying to a nervous, highly scrupulous recluse, who disliked business, and revolted from the petty tricks and quarrels of suitors for his favour, or rival prelates. Once he had to defend the rights of his see against the bishop of London, who tried to usurp jurisdiction over the manors which were set apart for the primate in every diocese.² At another time he was called upon to superintend the armed levies on his estate when the kingdom was threatened with invasion.³ But his relations with the king were his greatest difficulty. Against his own judgment, for he dreaded the imputation of simony, he had been prevailed on to offer William a gift of five hundred marks on his accession

¹ Eadmer, *Hist. Nov.*, lib. i. pp. 370, 371.

² Anselm, *Epist.*, lib. iii. 19.

³ Anselm, *Epist.*, lib. iii. 35.

There is no date to this letter, and it is difficult to say at what time, under Rufus, Kent was threatened with invasion.

to the see; the king refused it as too small a sum; and Anselm, convinced that his impoverished diocese could not afford a larger contribution, made no further offer, and gave away the money in alms, bidding those who took it pray for the king's soul. William retaliated by advancing a claim against the property of the see of Canterbury. Among the manors which it held by military service there were some whose owners, since the conquest, had died without heirs; it was alleged that fiefs thus circumstanced reverted to the crown.¹ The question turned on the point, whether the crown had peculiar rights over lands held by knight's tenure, and the royal claim was too invidious to have been enforced against any lay lord. As it was now mooted for the first time, it affected the title to many of the diocesan manors. Anselm knew that whatever he gave up was irretrievably lost to the Church, and firmly asserted his rights. But there were two other points which touched him more nearly. He was not allowed to visit Rome and obtain his pall from the pope. William affected to consider it treason that the primate should recognize claims which the king had not admitted. He further refused to let a synod be held for the reformation of manners. The point was one of importance, for the

¹ It would seem that the see of Canterbury had suffered in several ways. All the lands held by Lanfranc had been sequestered. These were restored on Anselm's consecration. But the lands held by military tenants who fought at Hastings had been seized by the crown for treason. Anselm had stipulated that the right to these should be tried in the law-courts. Eadmer, *Hist. Nov.*, lib. i. p. 370. Distinct from these two

grievances was the new claim set up by William to succeed to tenants dying without heirs. Anselm's language is very explicit: "Quoniam terras easdem antequam Northmanni Angliam invaderent, milites Angli ab archiepiscopo Cantuariæ tenuisse dicuntur, et mortui sunt sine hæredibus, vult asserere se posse juste quos vult eorum hæredes constituere." *Epist.*, lib. iii. 24.

clergy and people, so long left without rule, were already demoralized by the example of the court. Foul crimes, hitherto unknown in England, were becoming customary;¹ the clergy, who had sworn under Lanfranc to renounce marriage, were beginning again to take wives, and the king was only anxious to sell them licences;² the old vice of hard drinking was prevalent;³ the quarrels of clergy and monks ran high;⁴ in one convent the abbot went to mass in military state; in another he forced the horrified brothers to assist at an indecent debauch. But the effect of Lanfranc's concessions was now felt. William appealed to the precedents of the last reign; Anselm, borne down by his predecessor's authority, could only plead that times had changed, and that he must be guided by present emergencies and his own conscience. The plea was fearfully weak; English conservatism clung to precedent; the interests of all who looked for preferment were with the king, and the faint-hearted among the clergy shrunk from the prospect of a contest with royalty.

It was not long before the contest came. In the autumn of A. D. 1094, William had sailed to Normandy, refusing to let a synod be held, and denied the archbishop's blessing. In March A. D. 1095, Anselm for-

¹ "De illis qui ante excommunicationem vel post excommunicationem nescientes eam factam Sodomico peccato peccaverunt," &c. Anselm, lib. iii. epist. 62. Cf. Johan. Saresb., vol. iii. p. 206. "Væ ignominiosæ turpitudini et sulfuri flagranti his qui sacro baptismate extinctas deletarum urbium resuscitare nituntur favillas." Losingæ, Epist., vi.

² Bromton; X Script., c. 2369.

³ "Concilium Londinense, A. D. 1102. Art. v. Ut nullus archidia-

conus, presbyter diaconus, canonicus uxorem ducat vel ductam retineat. Art. x. Ut presbyteri non eant ad potationes nec ad pinnas bibant." Wilkins, vol. i. p. 382. Compare Anselm, Epist., lib. iii. 62.

⁴ In Exeter, Anselm was compelled to interfere and prevent the bishops and clergy from oppressing the monks. Amongst other things they forbade the convents to toll bells for divine service. Anselm, Epist., lib. iii. 20.

inally requested leave to proceed to Rome and receive the pall from pope Urban. William angrily refused, but consented to call a great council at Rockingham. Before it met officially, Anselm held a private meeting, attended by all the great lords, spiritual and temporal, and by many of the clergy and laity. He stated his case, and asked the bishops their advice; they refused to give it, but offered either to intercede for him, if he would make submission, or to report his arguments for the king's consideration. Anselm consented to let them do this, and they met again next day. The bishops were now prepared with an answer; they would do nothing against the king's wishes. Anselm towered up among the timid sycophants in conscious purity of motive. "If men deserted him, he would take council of Christ; he would render to Cæsar the things of Cæsar, and to God the things of God; he would obey the pope in church matters, and do faithful service to the king in all feudal obligations." The assembly broke up in disorder; no one would bear such a message as this to the king: Anselm went himself, and repeated what he had said. The day passed in angry deliberation. At last the bishops, headed by William of Durham, tried to force Anselm into one of two courses: let him either restore to the king the chief jewel of his crown, the right of recognizing a pope, or resign the ring and crozier, which he had no right to retain, if he withheld the feudal obedience which they symbolized. Anselm calmly challenged his opponents to prove in what single point he had violated his oath of homage. They retired in confusion. But a knight stepped out from the crowd, knelt before Anselm, and prayed him in the people's name "not to let his heart be troubled." Rufus wished the bishops to condemn Anselm; they dared not comply; but consented to re-

nounce their obedience. The barons were nobler, and stood by the fallen man; "they had taken no oath of homage which they could now unsay; and they would not renounce a blameless man and the head of their Christianity."¹ The bishops were confounded to find themselves alone in the nation assisting royalty against the Church. William's violence soon gave them an opportunity of deserting him. He insisted that they should renounce the primate unconditionally; and those who would only consent to renounce him as regarded the claims of pope Urban were treated as enemies to the king, till they bought back his favour with money. But this severity broke up his party in the Church.

The immediate result of Anselm's firmness was, that William, needing an ally, determined to recognize pope Urban, and obtain in return a sentence from the papal see against the archbishop. A legate came over to bring the pall to Canterbury, and arrange a compromise; sentence against the primate was of course impossible. The pall was laid on the altar of Christchurch cathedral, that there might be no question whether pope or king had given it; and Anselm invested himself. A peace was patched up, and lasted for some months. When the question of buying Normandy arose (A. D. 1086), Anselm, in his anxiety to conciliate the king, contributed two hundred marks, which he borrowed from the treasury of his cathedral. William began to hold out hopes that he would permit the meeting of a synod when the kingdom had rest from war. A peace with the Welsh soon afterwards, which appeared to promise Anselm the fulfilment of his hopes, led only to a new quarrel, the king complaining that the

¹ It is noteworthy, that, in the contest between Henry II. and Becket,

the lay lords all took part with the State against the Church.

archbishop's contingent had been badly armed and provisioned, and summoning him before the feudal court. Anselm begged for leave to visit Rome and consult the pope. William cynically refused. "The primate is no such sinner as to need papal absolution; and is much more capable of advising Urban, than Urban of advising him." But he gave him to understand, at the same time, that all proceedings might be avoided, if only the points discussed at Rockingham were given up. The bishops told their chief that they were plain men, who confessed to loving their kindred and this world; if he in his sublimity chose to look only to God, he must not expect their support. "Ye have said well," answered Anselm; "go ye to the king: I will trust myself in God's hands." At a fresh interview with Rufus, Anselm at last obtained permission to leave the kingdom. Before departing he blessed the king, who bowed to receive the benediction. But William, who had already imprisoned or banished the primate's most trusted friends, would not let him leave the country without a fresh indignity. A special envoy was despatched to search his baggage at Dover, that no concealed treasure might be taken out of the kingdom. The insulting ceremony was performed on the beach before a crowd of indignant bystanders (October, A. D. 1097).

Anselm spent nearly two years in Italy, conciliating the affection and respect of all who knew him. Even Saracen soldiers, when he passed through their camp, used to crowd round him and bless him; and some were only restrained by fear of persecution from joining the faith which such a man professed. But the pope, who was now fully engrossed with his own difficulties, did not care to provoke the enmity of the king of England. Anselm left Italy in despair, and took refuge with the archbishop of Lyons. More than a year had thus passed when he

received the news of William's death, and letters from Henry imploring him to return. King and primate soon met upon friendly terms; Anselm easily overlooked the slight to his rank in Henry's consecration by another prelate; and the king was overjoyed to have secured so powerful an ally. In fact, within a year Anselm had rendered the king two important services. He had legalized, though with reluctance, Henry's marriage with the Saxon princess Edith; and by threatening to put Robert under ban, he had deprived the Norman invasion of half its strength. The decision with which he acted in this political crisis is remarkable. He even made a speech to the nobles and soldiers of the English army, exhorting them to keep faith with the king. But when the danger was past, a new subject of dispute between himself and the crown came up. Anselm, during his stay in Italy, had heard the pope in council solemnly curse all priests who consented to receive investiture of their benefices from laymen, and to do homage for church property as for fiefs. Anselm therefore told the king from the first, that he could not do homage to him for the archbishopric as he had done to William Rufus. The king was disturbed, but dared not take any strong steps. It was agreed that the church property should be restored, and an appeal made to the pope for a special indulgence to the old customs of England.

The point at issue was one of the last importance. Every bishop on his consecration was entitled to receive certain lay fiefs, from which his principal revenue was derived. For these he was accustomed to do homage in the ordinary feudal fashion, kneeling, placing his hands between his lord's hands, and promising to become his man "from that day forward, of life, and limb, and earthly worship." These strong phrases were

of course limited by the recognized duties of a priest to the Church, and only bound the new prelate to perform the duties of a citizen by aiding his lord with money, in council, and in the field. But the office of bishop itself was conferred by the king, who put ring and crozier into the priest's hands in exactly the same way as he gave arms to a military tenant. Thus by a confusion of ideas, like that which had made fiefs hereditary, property and office were conveyed in one ceremony, and the man was bound, as it were, to the soil of his new estates by the obligation of common services. This virtually made the king head of the Church; and the only trace of connection with Rome lay in the pall which was conferred by the Roman see. Under the Anglo-Saxon kings, Church and State had been inextricably intertwined; and feudalism, although practically established, had not been systematized by the subtle intellects of lawyers, and had not stamped itself on the thought of the age as a necessary condition of life. The times were changed, and the Church was in danger of becoming a mere department of the State; its powers of moral censorship had been limited; its right of free action taken away; its connection with Rome controlled. All this had been done by the strong will and resolute hand of the Norman kings. Yet no one doubted that the Church had a separate mission upon earth, and ought to be independent in its own sphere. The experience of more than seven centuries has shown that two distinct powers, the secular and the ecclesiastical, cannot occupy the same dominion with analogous jurisdictions and equal dignity. But had that impossibility been foreseen in the eleventh century, every right-minded man would have decided that the State, governed by earthly princes, ought to give way to the Church,

with the vicar of Christ at its head. Anselm had felt painfully, in his own experience, that his position as tenant-in-chief impeded the discharge of his duties as bishop. As a reasonable man, he must also have considered the other side of the question. If the bishop did no homage to the king, he owed him no service; and the State would thus lose its claim to the taxes and military service due from the many thousand tenants on church property, who would constitute a separate kingdom within the four seas, with interests of its own, at times perhaps hostile to the crown. The prescriptive rights of the State, derived from immemorial usage, were not lightly to be encroached upon. It is probable, therefore, that the archbishop would have done nothing of himself to define the respective spheres of priest and citizen. But when the question was decided for him by the highest church authority, he obeyed orders without hesitation, and at the age of sixty-nine set himself with impassive serenity to begin a new struggle, without friends, with a more powerful foe, in the teeth of calumny, amid suffering and exile.

The steps of Anselm's second contest may be briefly resumed. The first embassy to Rome having returned unsuccessfully, Henry sent another, consisting of Gerard, archbishop of York, and the bishops of Chester and Norwich. These men came back with a letter, in which Paschal, now pope, flatly refused the king's request, but they professed to have private instructions of another kind: the pope could make no outward difference between princes; but he would not insist on his right so long as Henry was a dutiful son of the Church. Anselm's representatives at Rome, who knew nothing of this secret compromise, and refused to believe it, were answered that the word of bishops was stronger evidence

than parchments. The plea was valid, if it were true, for the frequent forgeries of those days very much detracted from the value of written documents. But as the bishops were men of low character; as Paschal solemnly denied the charge, and excommunicated them; as they bore their sentence, and the public reproach, without making any defence, it may fairly be supposed that they had been bribed to invent a specious falsehood. Henry, however, assumed their statements to be true, and proceeded to nominate new bishops. It was easier to find courtly prelates who would consecrate, than worthless priests to accept sees uncanonically, and out of three candidates whom Henry had designated, two, one of them an old chancellor, another a royal chaplain, threw up their preferment sooner than accept it from the crown. The king now desired to get rid of Anselm, and easily persuaded him to go to Rome, and lay the state of things before the pope. Of course, the pope was firm and made no concession except that the king was not to be excommunicated at once. But Henry's object was gained; the archbishop was out of England, and was now ordered not to return unless he would do the king's bidding; he preferred remaining at Lyons, and the estates of his see were confiscated (A. D. 1103). During this second exile of three years, Anselm had the misery of hearing that his absence had caused disorder in the English Church; his friends implored him to return and save it from ruin; the queen, probably at her husband's bidding, wrote appealing to his spirit of self-sacrifice, and implored him to make himself anathema that he might save the souls of others.¹ Anselm was firm; his scholastic habits of thought had eminently

¹ Anselm, *Epist.*, lib. iii. 93.

fitted him to see the importance of abstract principles. At last his patience was exhausted; he had no right to delay where his own life was so uncertain: he threatened to excommunicate the king. Henry did not care to proceed to extremities; his success in reducing Normandy would be seriously compromised by any continuance of the quarrel; he had roused the whole clergy against him by taxing them under pretence of enforcing discipline, and his wife and sister were Anselm's warmest friends. He restored the revenues of the see, and met Anselm as a friend; the pope was prevailed on to give up the question of homage; and Henry consented to renounce the right of investing with ring and crozier. After many delays, a council was held in London (August, A. D. 1107), and the compact between Church and State formally ratified. The king was henceforth to give the revenues and receive the allegiance of the bishop as of other state officers; the head of the Church was to invest him with the symbols of office in the church.¹

Anselm's political reputation has suffered from the very grandeur of his holy and passionless character. He is thought of as an abstract dreamer and saint, who obeyed the commands of his Church without any understanding of their true import, and threw away at the last moment the prize for which he had wasted years of suffering. What had been won, when the king still nominated for benefices and received homage? In reality, Anselm succeeded in every object for which he fought. He obtained the restoration of the Canterbury estates; he procured the holding of synods and the enforcement of church discipline; he established the right

¹ Wilkins, vol. i. pp. 386, 387.

of appeal to the pope, and forced the king himself to plead at the Romish tribunal; and he drew an impassable line between Church and State. No man hereafter thought that the ring and crozier were held, like the sword, from the king's hand. Theri ghteousness of the compromise lay in the fact that it left to the State whatever the State could justly claim; the right of suzerainty over national lands; the secular obedience of its clergy. But it freed the Church from feudalism; it took away the temptations to simony in the court; it gave the one intellectual class in the nation, the one body in which poor men might rise to the highest rank, a distant and weak sovereign, instead of a king who was close at hand and interested in oppression. Later centuries have cast down the whole structure that Anselm and the men of his day laboriously built up. But thought and nobleness of character are longer-lived than the causes which they consecrate; and it can hardly be fanciful to associate the peculiar virtues of the Anglican Church, sobriety of tone and independence of popular clamour, with the example of severe reason and fearless love of truth in the greatest of mediæval primates.¹

¹ The principal sources for the history of the contest of investitures are Anselm's Letters and Eadmer's *Vita Anselmi* and *Historia Novorum*.

The whole subject has been admirably discussed by Mr. Church in his *Essays and Reviews*, from which I have derived the greatest assistance.

CHAPTER XXVIII.

STEPHEN.

STEPHEN'S USURPATION. REASONS OF ITS SUCCESS. CHURCH AND STATE
 WARS WITH SCOTLAND. BATTLE OF THE STANDARD. THE BISHOP'S
 WAR. QUARREL WITH THE CHURCH. THE EMPRESS IN ENGLAND.
 CIVIL WAR. BATTLE OF LINCOLN, AND CAPTURE OF STEPHEN.
 MATILDA'S GOVERNMENT. SIEGE OF WINCHESTER, AND CAPTURE OF
 ROBERT OF GLOUCESTER. DESOLATION OF THE COUNTRY. PEACE.

AS soon as Henry's death was known through Normandy, the barons, who detested Geoffrey of Anjou, met in council to elect Theobald of Blois, the grandson of William I. by his daughter Adela, and next heir to the throne if Matilda were excluded. The meeting was broken up by the news that Theobald's younger brother, Stephen of Boulogne, had already been crowned in England (December 16).¹ Stephen had left the king's death-bed to achieve his enterprise. Repulsed from Dover and Canterbury, he was rapturously received in London, and secured the royal treasure. His brother Henry, bishop of Winchester, aided him with the vast influence of the Church, and a council of peers elected him. It was said that Henry's

¹ "This is evidently the correct date for the coronation of king Stephen; it is supported by the authority of Hoveden, Annals of Waverley, Dunstaple, and Brompton; the Saxon Chronicle places it on

Midwinter Day, or December 25; Malmesbury and the Chronicle of Melrose give December 22." *Hemmingburgh*, vol. i. p. 55; note by Mr. Hamilton.

marriage had been uncanonical, and that his daughter could not inherit.¹ The consciences of those who had sworn to support Matilda's succession were calmed by the oath of Hugh Bigot, that the king on his death-bed had disinherited his son-in-law. Stephen was personally popular. He was the type of the better class of Norman barons of the time. Invested by Henry with the large estates of Robert de Belesme, he had proved a hard master to his vassals, and especially to the towns; and his chief distinction was derived from skilful piracies on the Flemish trade. He was not too scrupulous to betray a benefactor² or assassinate a rival. But he was an open, genial, free-handed man, with a word and jest for all about him, and with flashes of knightly generosity; "the mildest of men on earth," says a writer of the day, "the slowest to take offence, and the readiest to pardon; very easy of speech to the poor, and liberal of alms." These virtues are eminently consistent with the weakness of an impulsive temperament, which the last counsel of friends, or the whim of the moment, swayed; and although Stephen's bravery, and some skill in generalship, redeemed him from utter contempt, the fits of drivelling penitence,³ in which he sometimes deplored the miseries of the land as the fruit of his own sins, were amply justified by his signal incapacity. The causes of his election lie in the times

¹ Foliot, epist. 72. Foliot observes that this, by implication, annulled the oath which had been made to the empress on the supposition that she was legitimate. Clearly the respect for marriage had increased among Norman nobles since the days of William the Bastard.

² Henry had married him to the

heiress of the countship of Bologne, and had given him the county of Mortain (Orderic, vol. iv. p. 189), so that all his fortunes were derived from the king. Newburgh, lib. i. c. iv.

³ "Intimis quandoque lacrimarum singultibus." Reg. Dunelm., c. 64.

and his own character. The great nobles did not consciously desire anarchy. They wished for a good soldier, who would put down the disorderly outbreaks that followed the news of Henry's death, when all the game in the royal forests was destroyed, and bands of outlaws scoured the country. They desired to be independent on their own estates, beneath a weak king with a bad title, and they hoped that a new dynasty would be compelled to look for strength to the old families, and that the new men whom Henry's policy had raised to office and rank would be set aside or despoiled. Stephen's strength and weakness were alike favourable to his claims. He had precisely that irregular energy which fitted him to discharge the minor duties of government, and he wanted the tenacious will which alone had carried the first three Norman kings through the death-grapple with feudality. He might be trusted in quiet times to put down coiners or thieves in occasional outbursts of legality, and he could never raise the nation against the baronage. Where this theory broke down was in the supposition that any government, except that of an iron will and a strong hand, could maintain itself in a country which lived as it were by miracle. England left to itself was a mere parcel of provinces, in which different customs, different nationalities, rival interests, had not yet been overpowered by common and higher traditions. Its kings were not only the symbol but the key-stone of unity; and local usurpations of justice and of forest rights, private war and general brigandage, were the invariable signs of a time when public order was trusted to the goodwill of the nobles.

The Church had even greater interests at stake than the baronage. The charter which Stephen granted at the Easter meeting in Oxford (A. D. 1136), and the

decrees of the Westminster synod (A. D. 1138), show what the Church claimed and the king conceded. Stephen promised at Oxford to renounce all claim to the property of intestate clergymen, to repress all simony, and to confirm the Church in the possession of all estates which it had enjoyed, by an uncontested title, at the death of the Conqueror, or which the piety of the faithful had since then conferred. The bishops' right of jurisdiction over all persons ecclesiastical was confirmed, but not defined. The synod of Westminster went further. It abolished all pretensions to freehold property in benefices. It declared that no clerk should receive investiture from a layman, and it ordered all trespassers on church property to be punished with excommunication.¹ These ordinances were in no respect unreasonable for the times; but they increased the difficulties of a divided jurisdiction to such a degree as to make it impossible that Church and State could long continue on friendly terms.

At first it seemed as if Stephen would possess his throne in peace. The count of Blois renounced all claim in favour of his brother. The king of France agreed to accept Stephen's homage for Normandy. The pope sent over a brief sanctioning the choice in which the nation was agreed. The new nobility retired in sullen discontent to their estates. Robert of Gloucester appeared to acquiesce in his sister's exclusion. London, where the governing body seems to have been chiefly Norman, supported the title which owed nothing to Cerdic's ancestry. Both Exeter and Bedford were successively taken from nobles who disobeyed the king's summons. By a breach of feudal law Eustace

¹ Malmesbury, *Hist. Nov.*, lib. i. pp. 707, 708; Ric. Hagulst., Twysden, 327, 328.

Fitz John was seized in court and forced to give up the castles which the late king had entrusted to him. The Normans beat back Geoffrey of Anjou from Normandy; and although Stephen, when he visited the duchy (A. D. 1137), was unable, through the misconduct of his Flemish and Breton mercenaries, to give battle to his rival, he purchased a two years' truce for two thousand marks. But the king's absence was the signal for rebellion in England. The English saw with displeasure the revival of Norman feeling. King David of Scotland had invaded England in the first year of Stephen's usurpation, and, although the sight of a large army and ample concessions induced him to retire, he had refused to violate the homage which he had been the first to swear to Matilda by pledging it anew to her rival. His son Henry had taken the oath for his English fiefs, but, on a visit to Stephen's court, had been insulted and challenged by the haughty Norman nobles, who could not brook the precedence allotted him. David could not forget that, if Matilda's claims were put aside, the succession to England through the Saxon line, whose claims had been recognized by Henry's marriage, devolved upon himself. The Anglo-Norman exiles, who had fled to the Lowlands before Stephen's vigorous rule, urged the Scotch king to assert his rights. Matilda implored him to espouse the cause of his niece and grand-nephew. It was agreed that a Scotch army should pour down upon the north while the English rose in revolt. Before the plan could be executed, the conspiracy was discovered by Nigel, bishop of Ely, and one of the ablest statesmen of his time.¹ A few of the more insignificant rebels

¹ The whole history of the conspiracy and of the Scotch war is very complicated. There is no foundation for Thierry's statement that

were punished with the gallows, but the more powerful escaped into Scotland, or remained, suspected but not arrested, awaiting and urging the advent of a Scotch army. David had once professed to desire nothing but the leave to die in peace. Even now he did not venture to claim more than what might be called the family estates: the countships of Northumberland and Huntingdon, which had once belonged to his wife's father, Waltheof; and the fief of Cumberland, which had commonly been held by the heir to the Scotch crown. But he raised such an army as the kingdom had never yet seen mustered; the heavy-armed troops were composed of English, Norman, and even German mercenaries; the light-armed of Gaelic clans from the Highlands and Picts from Galway, with target and brittle spears, and a single plaid or blanket thrown over them.¹ Most of these men were as savage as Sikhs or Tartars. They desecrated churches and broke up the sacred images; slew all the male population,

Nigel came to a knowledge of the conspiracy in the confessional. Orderic is the only writer who mentions the plot in express terms. If he is right in his date (A. D. 1137), we are justified in assuming it as a cause, not a consequence, of the Scotch invasion. But there is a passage in Richard of Hexham which perhaps completes the scanty notice in Orderic: "*Ea tempestate quidam pestilentes . . . detestabili concordia in unum convenerunt. Hujus vero execrabilis sodalitati Eadgarus filius nothus Cospatrii comitis et Robertus et Uchtred filii Meldred principales ad duces erant.*" X Scriptores, c. 323. He goes on to say that they ravaged Northumbria; the date being

in the autumn of A. D. 1137, after the battle of the Standard. Probably the plot was of the slightest kind possible, and the conspirators men of no great position or influence, who counted vaguely on rousing the hatred of race, and whose interest, such as it was, lay altogether in the north.

¹ "*Seminudis natibus.*" Ailred Rieval; X Scriptores, c. 340. Reginald of Durham uses the same expression of Scotch robbers, c. 112. Mr. Burton (*Hist. Scot.*, vol. ii. p. 381) has, however, proved that the kilt in its modern form, separate from the plaid, was invented by an army tailor in the eighteenth century.

man and child, and reserved the women for a worse fate, driving them along in droves, and exchanging them in the camp for cattle, or whatever else the whim of the moment suggested. Stephen returned to England, and led an army from the south against these barbarians, who retreated in disorder; but the English host was badly provisioned, and could not pursue its advantages. Before long it was forced to return back, and the enemy remained wasting the rich country, captured Carlisle, and proposed to the bishop of Durham that he should swear fealty to the Scotch king.

Thus left to themselves the barons and gentry of the north at last took heart, and collected the local forces. Thurstan, the archbishop, had ordered a procession in every parish, and the people were summoned by the sign of the cross, as if to a holy war. The two armies met near Northallerton. The English, fewer in number, were formed in a dense, impenetrable mass, round a standard fixed on a waggon, and surmounted by a cross; like the "carroccio" of Italian towns, it served for the rallying-point. They were no longer armed, as at Hastings, solely with the bill; English archers had acquired a terrible skill. Yet, as there were some signs of disorder at the number and fierce appearance of the enemy, their leader, the aged Walter Espec, harangued them.¹ Tall and sinewy, black-haired, and long-bearded, with broad dome-like forehead, large piercing eyes, and a voice like the sound of a trumpet, he yet spoke of

¹ This speech is assigned by Wendover to Ralph, bishop of Durham, and by Huntingdon to a bishop of the Orkneys. But the bishop of Durham at this time was Geoffrey Rufus, and the bishop of the Orkneys

seems only to have been present to hear confessions and give absolutions. Ailred of Rievaulx is a better authority for the north, and his vivid description of Walter Espec reads like that of an eye-witness. X Scriptores, c. 338.

himself as one who was better fitted to play chess or read histories in a quiet retirement than to give counsel or guide the shock of men. He only came forward in the emergency of seeing his countrymen doubt if victory were possible when heaven had settled victory as it were a fief upon their race. He proceeded to point out how the Normans had subdued every nation they encountered or invaded, and bade them not be afraid of savages, who fought without armour, and were animated by the mere mad courage of brutes. Meanwhile, the Scotch were divided by a quarrel as to who should lead the van. The king naturally preferred the disciplined and heavy-armed southrons, but the Picts carried their point by clamour. Before the armies closed, an English baron, Robert de Bruce, stepped forward, and reproached the king for leading unfaithful subjects against old allies, who had often helped him to put down rebellions. The reproach was just, and indicated the transition of races that was rapidly going on in the Scotch Lowlands. But such considerations could not affect the battle. The Galwegians rushed on yelling, and broke, like spray upon the beach, before the serried English lines. A storm of arrows completed the rout of the first line of the enemy; and their men-at-arms were only able to effect an orderly retreat, without influencing the fortunes of the day. The pursuit for some distance was a bloody one. But it was not properly followed up: the men of Yorkshire were glad to return to their homes; and Northumberland, Cumberland, and Westmoreland, remained a debateable territory, rather Scotch than English. English rebels assisted to lay waste the land. The intervention of a papal legate procured a promise from king David, that the captive women should be restored, and women and

churches spared in future. Next year (A. D. 1139) peace was concluded by Queen Matilda's diplomacy. It was then agreed that prince Henry should receive Northumberland in fief, except the fortresses of Bamborough and Newcastle, for which compensation was to be made. The county was to retain its customs, and the Scotch were to give five hostages for the performance of the treaty. The peace was dishonourable, but it did not alter the English frontier.

Before long, Stephen was engaged in a war more serious even than that with Scotland. At the instigation of William of Ypres, he had plotted to secure the person of the earl of Gloucester. Robert suspected treachery, and absented himself from the court. The king then took alarm, and pledged himself, through the archbishop of Rouen, to leave his cousin unmolested. The assurance confirmed the count's suspicions into certainties; he presently withdrew into Normandy, and sent the king a formal renunciation of his homage (A. D. 1138).¹ Stephen was too well occupied to pursue him across the channel, and the count remained in quiet, watching events. The hanging of Ernulf de Hesding, and more than ninety other rebels, inspired respect and gave the land rest for a time. But before long, the king of England was at feud with the Church. The occasion was curious. Roger, bishop of Salisbury, united all the qualities of a feudal baron to real architectural genius. The mere building of a diocesan cathedral did not satisfy his ambition: he had been entrusted by the late king with the castle of Salisbury, had fortified Sherborne and Devizes, and begun a castle at Malmesbury. One of his nephews, Alexander, bishop

¹ Malmesbury says that several monks whom he consulted, and even the pope, told him that he was bound

to keep his oath of fealty to Matilda. Hist. Nov., lib. i. p. 712.

Of Lincoln, emulated these military tastes; another, Nigel of Ely, was the first financier of his times. So powerful a family might easily be dangerous to the king, if Roger decided on espousing the cause of his old patron's daughter. Stephen was persuaded to summon them to council at Oxford (June, A. D. 1139). Roger obeyed with reluctance, foreseeing that no good would come of his attendance, and took the precaution to surround himself with a large military escort. These men, the minions of a prelate who had almost ruled the kingdom, were accustomed to carry matters with a high hand; they tried to seize quarters in the town which were claimed by the followers of count Fitz-Alan and Hervei de Liuns. A scuffle ensued, and blood was shed; the count Fitz-Alan himself was almost slain; the king's guards were forced to restore order, and drive the bishop's men out of the town. Stephen had for some time past resented the bishop's demands for fresh benefices, but had not dared to withhold them: other nephews had been promoted; a natural son of Roger was made chancellor of England; "If he asked for the half of my kingdom, I must give it him till the time go by." The time had now gone by. Roger and Alexander were imprisoned, and the king's forces pursued Nigel to Devizes, where he took shelter. The two prelates were lodged in a cabin and a cow-stall, and Stephen threatened to hang the chancellor before the eyes of his parents, if his mother, Matilda of Ramesbury, who commanded in Devizes, did not surrender the castle. The old bishop fasted for three days, as earnest of his intentions, to induce his nephew and his mistress to give way.¹ The castle was surren-

¹ Malmesbury, Hist. Nov., lib. ii. p. 718; Florence, vol. ii. p. 108. But

dered, and all the fortresses of the three prelates, with ample munitions of war, fell into the king's hands. From that day, says an ardent churchman, the sword was not wanting to his side. Roger died not long afterwards (Dec. 11) of grief and shame. The spoils of his large fortune, it was said nearly forty thousand marks, were divided between the king and the canons of Salisbury, and the churches which he had annexed to his see recovered their independence.

A council was held at Winchester (Aug. 29) to deliberate on this invasion of church privileges. Bishop Henry, the king's brother, and now papal legate in England, presided, and warmly asserted the rights of the Church. Perhaps his motives were not wholly public-spirited, as the king and queen had lately interfered to prevent his elevation to the see of Canterbury.¹ No one ventured to dispute that Roger had acted uncanonically, or that castles and munitions of war were not symbolized in the ring and crozier. But the high churchmen thought that questions of this kind should have been decided by an ecclesiastical tribunal. Whether Roger and his nephews would have cared much for any English synod, whether an appeal to the pope might not have produced ruinous delays, and given time for the kingdom to be won and lost, were questions that did not distress the conscience of transcendental canonists. Aubrey de Vere, as the king's representative, spoke out boldly for his master, and defended the legality of his acts. The strongest charge against Stephen was, that he had seized part of Roger's treasures, under pretence that they were moneys pilfered from the exchequer;

the author of the *Gesta Stephani*, who is friendly to Stephen, represents the king as keeping him with-

out food till the castle surrendered. *Gesta Steph.*, p. 50.

¹ Gervase; X *Scriptores*, c. 1348.

this was mere robbery, as the king was bound to reclaim his property in the ordinary courts of law. Accordingly words ran high: Stephen forbade any bishop to leave the country, and offered to appeal to the pope; his knights surrounded the synod, and threatened its members with violence. The council broke up in disorder. By an apologist of his reign, it is said that the king did penance for his offence.¹ It is certain that he never appeased the clergy.

Robert of Gloucester had watched events, and knew that his time was come. He enlisted an army of Bretons, Flemings, and Germans. Accompanied by his sister, for Geoffrey of Anjou was too unpopular to be brought into England, the earl crossed the channel and landed at Arundel (Sept. 30, A. D. 1139). The queen-dowager, Henry I.'s second wife, received the adventurers cordially. Robert at once pushed across country for Bristol, and was just in time to avoid the king, who hurried up with a small army and besieged Arundel. He was diverted from the prosecution of his enterprise by Henry of Winchester. The legate was in private understanding with Robert, whom he had lately seen, and now came to the king with the counsel of Hushai. The war, he said, would last for ever if the enemy were divided; let the empress be suffered to join her brother, and both might be crushed at a blow. It is difficult to understand how any man could be deceived by such advice; but Henry knew the measure of his brother's intellect. Perhaps it is right to assume that the policy recommended appealed to Stephen's chivalrous instincts, and that the king was ashamed to concentrate his strength on a woman. Any how,

¹ *Gesta Steph.*, p. 51.

Matilda was allowed to join her brother, and before long Henry of Winchester appeared at his cousin's court. The bishop of Salisbury's death enabled his nephew Nigel to declare fearlessly for the imperial cause. But the strength of that party lay in the west; Stephen easily stormed Ely, and then passed by a rapid march into Cornwall, and quieted it. The horrible character of a war in which both parties employed mercenaries soon showed itself. A kinsman of the earl of Gloucester,¹ Philip Gai, who had assisted to secure Bristol shortly before the empress landed, enjoys the infamous credit of having introduced the most barbarous tortures into English feudal war. Robert the Fleming, one of the adventurers who had swarmed over, took the castle of Devizes from the king and held it for himself, laying waste the country far and wide. He was a man who even in those times could scarcely be paralleled: he used to smear his prisoners with honey, and hang them up in the sun; he boasted that he had burned twenty-four monks in a church on the continent, and hoped to do the same by the brethren of Malmesbury. Neither party cared to waste their strength in besieging him: fortunately he was seized before long in a treacherous attempt to surprise Marlborough, and hanged. The town of Nottingham had enjoyed peace and prosperity ever since the conquest. Being unprotected by walls, it was suddenly entered by a troop of imperialist cavalry, who plundered it pitilessly. A rich burgher, having been seized and forced to show the vaults in which his treasures lay, suddenly slipped from among his spoilers, closed the door upon them, and set fire to

¹ The author of the *Gesta Stephani* (p. 112) seems to call him a son of the earl of Gloucester.

the house. The flames spread, and the town was consumed: many women and children perished in the churches; a few were driven off as slaves, and probably sold into Ireland. Bristol was thronged with captives from all parts of England, who were tortured or starved till they ransomed themselves, and the hostage who was not redeemed might have his tongue cut out.¹ Stephen tried to negotiate a peace; but the clergy, especially his brother, were implacable. An unexpected event promised to bring the war to a close. About Christmas, A. D. 1140, Stephen received a message from the citizens of Lincoln, to say that the count of Chester, who had seized their castle by stratagem, was only attended by a few followers, and could easily be surprised.² Stephen had parted from the count on friendly terms not long before; but he suspected his fidelity as a son-in-law of the earl of Gloucester. He therefore, without declaring war, appeared suddenly before the walls of Lincoln, by a breach of feudal usage as unprofitable as disgraceful, for the count contrived to escape, and his castle could not be reduced. While Stephen was still before it, the soldiers of the empress appeared; impatient to close the war, they swam the swollen waters of the Trent. A division of the "Disinherited" whom Stephen had deprived of their estates, drove in the wings of the royal army, which were unduly weak, and closed round the main body. The shock of the first charge disordered

¹ Hardy's Descriptive Catalogue, vol. i. part i. p. 7.

² Ranulph de Gernons, earl of Chester, was son of Ranulph de Meschines, count of Chester and Lincoln, by Lucia (daughter of Alfgar of Mercia, and widow of Ivo Taillebois) who had large estates in

Lincolnshire. Hence probably his residence at Lincoln. Orderic says (vol. v. p. 125) he was attacked for surprising the castle; but that offence seems to have been condoned, and he was evidently unprepared for a siege.

the ranks, and Stephen, fighting desperately, alone, with his axe shivered to the hilt, was taken prisoner. The burghers of Lincoln knew what fate awaited them. They crowded into skiffs, which were overladen and sank; and five hundred perished in the water. Count Ranulph rewarded his troops with the plunder of the city.

A great council was now called at Winchester to confirm the results of the victory, and London was represented among the peers. Henry of Winchester declared, in behalf of the clergy, that Matilda was rightful queen, and expressed his own penitence for having ever sided with her rival; his brother was dear to him, but the interests of truth dearer. Stephen's queen and William of Ypres pleaded his cause vigorously, but in vain; only the Londoners sided with them; and it was agreed to proclaim the empress queen. Nevertheless, the men of Kent and archbishop Theobald remained faithful to their first lord. Before long Matilda disgusted her adherents by a haughty deportment and rude language; her uncle the king of Scotland, her brother Robert, and the legate, were all treated with caprice and insolence. No entreaties could induce her to secure peace by restoring Stephen to liberty, and investing his son Eustace with Boulogne and Mortain. A petition from London, that the laws of king Edward might be substituted for those of Henry I., was rejected with scorn; Matilda brought up troops, and cut off the trade of the citizens, and wasted their lands, to punish their disaffection. It was known that Stephen's queen was approaching with an army. The Londoners suddenly rose in arms, rang the tocsin, and stormed the palace, and Matilda was glad to save herself by a hasty flight to Oxford. London became and remained the head-

quarters of the royalists. Before long it was known that Henry of Winchester was intriguing with the queen. The empress tried to surprise him in his palace; he escaped; and from that moment war recommenced.

The army of the imperialists now gathered in full force round the castle of Winchester. The defective mechanics of the time favoured defence rather than attack; and although the city was burned down, and all supplies intercepted, the garrison still held out after six weeks (August 2 to September 14, A. D. 1141). Meanwhile the queen brought up troops from London, and Henry of Winchester threatened the besiegers from the west. Robert of Gloucester had pushed his outposts too far; the position of Wherwell was stormed; and his lines being thus forced, he saw no safety but in retreat. His movements were watched and followed, and the march out soon became a flight. The empress, who was in the van, escaped, first in the disguise of a trooper, afterwards laid out as a corpse at Gloucester; the king of Scots got off by bribing his captors; but earl Robert, who led the rear-guard, was taken prisoner. This great loss restored the balance of parties, as Matilda was forced to ransom her brother by setting Stephen free. The legate lost no time in assembling a council at Westminster. He there read a letter from the pope in favour of Stephen's claims, regretted that he himself had been compelled to dissemble his affection; at present, since God had blessed his arms, and the king was at liberty, let every subject rally round his standard. The clergy listened in silence. But a lay envoy from Matilda stepped forward, and taxed the legate, to his face, with the blackest treachery; except for the bishop's letters, the empress would never have set foot in England. The legate sat through the speech with a

bland impassive smile, and proceeded with the formalities of excommunicating the imperialist party.

From this time forward the events of the war, though it lasted twelve years longer, are unimportant. The empress was once shut up in Oxford, and only escaped by flying, clad in white, over the snow-covered meadows at midnight (December 20, A. D. 1142). Next year the balance of power was restored by a great battle at Wareham, in which Stephen was defeated. Geoffrey of Anjou remained in Normandy; he was too unpopular to be used in England; and his wife was well content to guide her party alone. Her son was brought over to Bristol, to be educated among his future subjects. Stephen's fleet kept the seas, and prevented the entrance into England of any large force from Normandy. But this advantage, and the death of Robert of Gloucester, did not compensate the king for the ill results of his own weak and violent character. Distrusting his great barons, he tried to deprive them of their castles, and only drove them into rebellion; espousing the jealousies of his brother, he quarrelled with his own nominee, the primate Theobald, and was put under interdict. Meanwhile the condition of the country was deplorable. The customary courts of the three great festivals had long since fallen into disuse, and it was idle to appeal to a king who could not enforce his decrees. The land was filled with castles, and the castles with armed banditti, who seem to have carried on their extortions under colour of the military commands bestowed by Stephen on every petty castellan.¹ Often the very belfries of churches were fortified. On the poor lay the burden of building these strongholds; the rich suffered in their

¹ "Omnis pene tyro castelli alicujus donabatur imperio." Reg. Dunelm., c. 67.

donjons. Many were starved to death, and these were the happiest. Others were flung into cellars filled with reptiles, or hung up by the thumbs till they told where their treasures were concealed, or crippled in frames which did not suffer them to move, or held just resting on the ground by sharp iron collars round the neck. The earl of Essex used to send out spies who begged from door to door, and then reported in what houses wealth was still left; the alms-givers were presently seized and imprisoned.¹ The towns that could no longer pay the black-mail demanded from them were burned. Even the poor were not always secure, for the forest laws were mercilessly enforced in the absence of any power to control the nobility, and the whole live stock of a district was often swept off by marauders.² A whole township would fly at the sight of two or three riders. Yet sometimes the peasants, maddened by misery, crowded to the roads that led from a field of battle, and smote down the fugitives without any distinction of sides. The bishops cursed vainly, when the very churches were burned and monks robbed. "To till the ground was to plough the sea; the earth bare no corn, for the land was all laid waste by such deeds; and men said openly that Christ slept, and his saints. Such things, and more than we can say, suffered we nineteen winters, for our sins."³ Many men once rich fled

¹ The chronicler of Waltham abbey tells us that this earl of Essex "abounded in a wealth of all the virtues which might beseeem so great a man." *De Inv. S. Crucis*, c. 29. He died excommunicated, but with the habit of a knight templar thrown over him. Dugdale's *Baronage*, p. 203.

² *Reg. Dunelm.*, cc. 50, 67. Com-

pare c. 65 for an amusing account of some robbers, who rob a church in Arden and drive away the sheep and cattle put in the churchyard for security. The priest heads his people in a night surprise of the camp after a drunken carousal, the marauders fly in a panic, and all the lost property is recovered.

³ *A. S. Chron.*, A. 1137.

beggared out of the country, which was no home for industry. Many soldiers, sickened with the unnatural war, put on the white cross,¹ and sailed for a nobler battle-field in the east.² Perhaps something of a kindred feeling, and a dim perception that a nation deserting its neighbours does not always prosper, explain the union of the English fleet with the Flemish, to recover Lisbon from the infidel.³

As prince Henry and Eustace, Stephen's son, grew up to manhood, the war resumed its old importance and proportions. But public feeling was now in favour of Henry, whose claim, to English notions, was stronger than his mother's. Perhaps the fierce character of Eustace was dreaded. Moreover, the new pope, Eugenius III., took part against Stephen. By the energy of Thomas Becket, a young canonist in the household of archbishop Theobald, a bull was procured forbidding the primate to consecrate Eustace as his father's successor. Prince Henry's marriage with Eleanor, heiress of Poitou and Aquitaine, increased his power, and the death of his father removed the dread of Angevine influence. In A. D. 1153, Henry landed in England with a force of one hundred and forty horse and three thousand infantry, captured Malmesbury and relieved Wallingford in presence of the besieging army, which seems to have purchased its retreat by an agreement to destroy the blockading fort of Crowmarsh.⁴

¹ "Inolevit ut Angli albis crucibus signentur, sicut Franci rubeis." Contin. Rog. Hoveden, Bouquet xviii. p. 174.

² Gesta Steph., p. 120.

³ From the curious tract by Osbern, which Professor Stubbs has published (Itin. Regis Ricar., pp. cxliv.-clxxxii.), it appears that the

English ships were in four divisions, Norfolk and Suffolk, London and Kent, each contributing one, while a fourth command embraced the men of Hastings, Portsmouth, and Bristol.

⁴ Newburgh, vol. i. p. 80. Wendover, vol. ii. p. 254. Joan. Saresb., Polycrat., lib. vi. c. 18.

Reading, Brightwell, and Warwick, the latter by act of its countess, now passed into the duke's hands, and the whole west of England was retrieved to the imperialists, and the war was transferred to the eastern counties, where Henry took Stamford, but failed to relieve Ipswich, which had declared for him. Fortunately for the kingdom, Eustace died at this critical moment of a fever, caught in plundering the lands of St. Edmond's monastery. The primate and bishops now interposed their good offices to mediate a peace. Stephen had little to fight for, and Henry, who had once been relieved in famine by his rival's generosity, was disposed to give liberal terms.¹ It was agreed that Stephen should wear the crown till his death, and Henry receive the homage of the lords and towns of the realm as heir-apparent. The castles built before the king's accession were to be restored to their rightful owners; the new erections, whose number is differently stated at from one hundred and twenty-six to one thousand one hundred and fifteen, were to be pulled down.² But Stephen had not the vigour to carry out this article of the treaty. Fortunately, in the course of the next year, A. D. 1154, death relieved England of her incompetent sovereign. His spirited wife, Maude, had died in the course of the previous year.³

¹ The only authority for this act of Stephen's is the author of the *Gesta Steph.*, p. 129.

² The smaller number is given in the *Chron. Norm. Duchesne*, p. 989; the larger by Radulfus de Diceto; *X Script.*, c. 528. Lappenberg mentions a third number, 375, apparently

from Robert de Monte. *Eng. Gesch.*, Band ii. p. 368.

³ She was daughter to the princess Maria, younger sister of Matilda, Henry I.'s queen, grand-daughter of Malcolm, king of Scotland, and grand-niece of Edgar Ætheling.

CHAPTER XXIX.

THE CONTEST WITH BECKET.

FIRST ACTS OF HENRY'S GOVERNMENT. BECKET'S BIRTH AND RISE. HIS CHANCELLORSHIP. NATURAL ANTAGONISM OF CHURCH AND STATE. ASSERTION OF ARCHIEPISCOPAL RIGHTS. ABUSES OF A DIVIDED JURISDICTION. COUNCILS OF WESTMINSTER AND CLARENDON. ARTICLES OF CLARENDON. BECKET'S CONSENT AND RECANTATION. COUNCIL OF NOTTINGHAM. FLIGHT TO FRANCE. HENRY'S VIOLENT MEASURES. CONFERENCES. CORONATION OF THE YOUNG KING. BECKET'S RETURN TO ENGLAND, AND VIOLENT CONDUCT. HIS MURDER. HENRY'S PENANCE. TRIUMPH OF HENRY'S POLICY. CHARACTER OF BECKET.

EVERYTHING about the new king seemed to promise well for the kingdom. The better parts of his character had been developed by rivalry with Eustace; he was known to be brave and energetic, a warm-hearted man, and a well-intentioned, clear-headed ruler. His first acts showed that he understood the great want of his people. The Flemish mercenaries were sent groaning out of the land they had laid waste. The fortresses of Scarborough and Bridgenorth, which held out against the crown, were reduced without delay. Six castles were taken from Henry of Winchester and demolished; the turbulent prelate withdrew in disgust to Cluni, where he remained seven years absent from his diocese, till the scent of Church preferment or Church troubles brought him back.¹

¹ Trivet, p. 40.

Order was restored in the kingdom by the nomination of royal commissioners to administer justice.¹ Prospects abroad were favourable. The king inherited Normandy from his mother; he had seized Anjou, Touraine, and Maine, to the exclusion of his brother Geoffrey, and in violation of a promise to his dying father; and the marriage with Eleanor of Aquitaine added all Gascony and Poitou to the English dominions. The English possessions in France were larger than those of the French crown, and were likely to increase. Louis of France, superstitious and weak, was no match for his rival.

A few days before Henry's coronation, an Englishman, Nicholas Breakspeare, had become pope Adrian IV. The prestige of these connections had its natural effect. Malcolm of Scotland did homage for his southern dominions, and consented to exchange the three northern counties of England for the earldom of Huntingdon. The Welsh, under Owain Gwynedd, were a little more difficult. Henry encumbered himself with a large army in invading the principality (A. D. 1157); and was surrounded in a woody gorge at Coleshill, near Basingwork; the standard-bearer, Henry of Essex, had already fled, crying all was lost, when the arrival of the earl of Clare with fresh troops saved the king and his army.² The Welsh were reduced to submission, and fresh fortresses built.

¹ Hemingburgh's words clearly indicate the appointment of sheriffs and of justiciaries, with whom appeals might be lodged. Whether they imply assizes is doubtful, but they will bear that construction: "Quoties vero a subditis contra iniquos iudices pulsabatur, mox provi-

sionis regie remedium adhibebat." Vol. i. p. 82.

² Henry of Essex served afterwards without dishonour in the war of Toulouse. But in A. D. 1163, Robert de Montfort, quarrelling with him, appealed him of treason for his conduct in this war; a duel was or-

Henry's minister, so to speak, during the first six years of his reign, was Thomas Becket.¹ Becket's father, a Norman, of Rouen, had settled in London for the purposes of trade; and had there served the office of port-reeve or mayor, but was reduced to comparative poverty in his old age. Thomas, the eldest son, was born A. D. 1117, educated at Merton convent, and sent to Paris that he might acquire a French accent. His father's losses compelled him to start in life as a city clerk or accountant; a lodger in his master's house introduced him to the household of archbishop Theobald,² and the young man's talents increased the interest which the primate, a native of Thierce-ville, had felt for the son of a countryman.³ Becket was loaded with

dained; and Henry being struck down, was spared by the king's mercy, and allowed to become a monk in Reading monastery. He attributed his defeat to the supernatural appearance of a knight whom he had murdered by the side of his adversary. Chron. Joc. de Brak, p. 52.

¹ The propriety of saying Thomas of Canterbury instead of Thomas Becket has lately been agitated. Admitting that after his elevation Becket was commonly known by his official title, it may be observed: (1) That his father undoubtedly bore the surname Becket (Garnier, p. 7, &c.). (2) That it seems to have been used of himself, familiarly, his murderers asking for "Thomas Beketh" (Grimm, Giles, vol. i. p. 75). (3) That the surname is given him in mediæval writers (Hoveden, Savile, p. 281; and Birchington, Anglia Sacra, vol. i. p. 8). (4) That there is no common use on the other side, his contemporary, Reginald of Durham, for instance, always speaking of him as

"beatus Thomas," or "Martyr Christi Thomas," never simply as "Thomas of Canterbury." (5) That the title Thomas of Canterbury belongs quite as much to Bradwardine, to go no further down, as to Becket. (6) If Hasted be right in saying (Hist. of Kent, vol. iv. p. 701) that he took for his arms three Cornish choughs, or rather their heads and beaks (Parker's Glossary of Heraldry), it is incidental proof that the surname was never dropped.

² Vitæ Becket., vol. i. pp. 98, 184.

³ There has been a little difficulty whether it was Becket's father or grandfather who came from Normandy. All biographers except one call his father Gilbert and his mother Matilda. The anonymous author of the Lambeth MS. calls the mother Roesa (Vitæ Becket., vol. ii. p. 73), perhaps confounding her with a daughter, and Fitz-Stephen says, "Gilbertus" (the father) "cum domino archipræsule de propinquitatē et genere loquebatur; ut ille ortu

preferment, and became a rich man. He was allowed to study canon law at Bologna under Gratian, the first canonist of the day. While his views were perhaps formed by this residence, his destiny was decided by a foreign mission. He obtained the important bull which forbade Theobald to crown Eustace: and thus established a title to the gratitude of the new king. The clergy, who remembered Geoffrey of Anjou's hostility to the Church, were anxious that one of their own body should obtain the king's confidence; Theobald recommended his own *protégé* to be chancellor; and Becket is said to have paid a large sum for the post.¹ Its duties

Normannus et circa Tierrici villam de equestri ordine natu vicinus." Vitæ Becket., vol. i. p. 184. Mr. Robertson harmonizes these accounts, and thinks that Becket's grandfather was the first settler in London; strengthening his position by a phrase of Becket's, who calls his "progenitores" "cives Londonienses." The "circa Tierrici villam natu," &c., clearly refers to Theobald; if Becket's father came from the chief town of the district, it would be sufficient to establish a bond between them: but the further back the settlement in England is pushed, the more difficult it is to suppose that that bond would be recognized.

¹ Foliot, epist. 194. Mr. Berington and Mr. Morris have doubted the authenticity of this letter, or at least its publication in Becket's lifetime, on the ground that it contains heavy charges which Becket did not answer. Foliot's letter might well be written angrily; it was an answer to one from Becket (Becket, epist. 129), who charged him with suffering Christ to be crucified again in

his servant; or perhaps, even more probably, to one still stronger, in which Becket accused him of betraying the Church from fear, and joining Henry in all his most odious measures (Becket, epist. 130). Becket might consider the controversy closed, or might prefer the effectual method which he actually took, of procuring papal censures against his opponent (Becket, epist. 131, 132). Foliot enjoyed a high character; Becket himself calls him, perhaps contemptuously, "in religione nutritum et religionis exercitationibus nutritum," alluding, probably, to his profession at Cluni. He had opposed Becket's election till, by his own account, the king threatened himself and his family with exile, and was charged with desiring the primacy for himself. Later on, A. D. 1173, the charge was renewed. He then excused himself for impeding the election of the king's nominee on the ground that he only asserted the rights of the bishops to interfere (Foliot, epist. 269). It is in his favour that he was a strict churchman all his life;

were only judicial in a secondary sense. The chancellor sat as assessor to the grand justiciary, especially in revenue cases, and issued writs that concerned proceedings in the curia regis and the exchequer. As he kept the king's seal, without which charters, treaties, and public instruments generally were invalid, the chief conduct of foreign affairs devolved upon him. But as he administered vacant benefices, dispensed the royal alms, and kept the king's conscience, he was naturally an ecclesiastic, and was pretty certain to be promoted to a bishopric. The discredit of simony, therefore, attached to a clerk not yet a bishop buying the office;¹ and, true or false, the charge was brought bitterly against Becket in after-life. Yet, at most, the transaction only showed a certain callousness on points of moral casuistry.

Before long, Becket stood high in the king's favour. A tall, handsome man, eloquent and witty, a good chess-player, fond of hunting and hawking, superficially versed in literature, he seemed born for a court. From the moment of his promotion, his life was strictly decorous. Men talked flatteringly of their hopes to see a second English pope. The chancellor's palace was a court and college for the young nobility. When he

men accused him of faction and ambition, but never of canvassing or simony. He himself explains his theory of Church and State to be one of separate privileges and mutual concessions in the interest of order. In fact, he regarded the State as co-ordinate with the Church; Becket as subordinate to it.

¹ It is possible that a bishop might buy the office without discredit. Madox says: "In the reign of king

Stephen, Geoffrey the chancellor fined in £3006 13s. 8d. for the king's seal." *History of the Exchequer*, vol. i. p. 62. This Geoffrey was Geoffrey Ruffus, bishop of Durham. Mr. Foss, however, observes, that this money was paid A. D. 1131, several years after Geoffrey's appointment (A. D. 1124), and infers, from its fractional character, that it was only a settlement of arrears. *Judges of England*, vol. i. pp. 82-84.

went as ambassador to Paris (A. D. 1159), the magnificence of his embassy increased the prestige of the English name, and contributed to the success of his negotiations; he procured the recognition of Henry's right to Brittany, where Geoffrey, his brother, had been elected Count, and had died without issue. When Henry disputed the possession of Toulouse with Louis (A. D. 1159), the chancellor brought seven hundred knights, his own dependents, one thousand two hundred hired soldiers, and four thousand camp followers¹ into the field at his own expense; armed and riding at their head, he unhorsed a French champion, Engelram de Trie. The contrast between himself and his sovereign came out curiously in one particular: Henry scrupled to make his suzerain prisoner, and let slip a golden opportunity of ending the war at a blow; Becket's resolute mind saw through the sophistry which professed allegiance to the king and waged war against his people, and he pressed Henry, but in vain, to storm the town. It is clear that Becket was the better statesman, and Henry here at least the more honourable man.² The chancellor's talents found a nobler employment in expelling the mercenaries from England (A. D. 1154), and in restoring order to the Church. He caused vacancies to be punctually filled up. He opposed the taxation of the clergy in council, and bore the blame of

¹ "Servientes," light-armed men, or only armed with knives for killing the wounded. Their chief use was to forage and carry the baggage. Still the numbers are scarcely credible, and Fitz-Stephen, who gives them, is suspiciously fond of high estimates.

² Fitz-Stephen, *Vita Becket*, vol. i. p. 200. He says, amusingly enough,

"*vanâ superstitione et reverentiâ rex tentus.*" Henry's scrupulosity was evidently a feature of his character; the Norman Chronicle mentions it as remarkable that, at a moment of great irritation, he burned a fortress belonging to Louis (A. D. 1166); Duchesne, p. 1001. The feeling wore off with constant wars.

it in public. Once a question of disputed jurisdiction between Hilary, bishop of Chichester, and the monks of Battle abbey, was tried by the king in full court. The monks claimed to be independent of all episcopal control. Their abbey was the symbol of Norman dominion, founded by the Conqueror, enriched even by his godless second son; and the attempt to assert authority over it was nothing, they said, but English jealousy of the governing classes. Hilary had procured decisions in his own favour from Rome. The king and his nobles were powerfully influenced by the appeal to Norman sentiment, and indignant that the pope's interference had been solicited. Henry put forward, in the strongest manner, his pretensions to maintain all the rights ever claimed by Norman kings over the Church;¹ the bishops and barons assisted him; and Hilary, a factious and time-serving man, was speedily clamoured down, and made abject submission. The chancellor was present during the trial, and supported the king energetically.

At first sight it appears irrational as well as monstrous

¹ His words, if genuine, are remarkable: "Tu pro papæ auctoritate ab hominibus concessâ, contra dignitatum regalium auctoritates mihi a Deo concessas calliditate argutâ niti præcogitas." The first clause has been expunged in the MS., but exists in the copies printed by Spelman and in Wilkins' *Concilia*, vol. i. p. 431. Becket followed up the king's speech with one apparently of the same tenor, but an expunged clause in this has been hopelessly lost. A writer in the *Dublin Review*, No. 97, thinks the erasures contemporary with the MS., and that they were probably made by the scribe, who

distrusted his own accuracy in recording strong language. As, however, in the first instance, there must have been time for a full copy of the MS. to be made, I am inclined to think that they were made at different times by some reader, whose piety was shocked. Becket's language was the first erased, not perhaps as the most violent, but because the anxiety to clear his character was greater. The MS. appears to have suffered from Puritan hands as well, as the word "papa" is generally blotted out. *Hist. Mon. de Bello*, p. 91, note by Prof. Brewer.

that Becket afterwards cited this very case of Battle abbey, in a letter to the pope, as an instance of Henry's violent and oppressive character.¹ The point is really a small one in summing up the conduct of a man whose life was divided between two opposite lines of action. The distinction of Church and State had been merged during Saxon times in their general agreement, as it is now practically obliterated by the supremacy of the State. But since the Conquest, its sharp contrasts had come more and more prominently forward. The Norman kings on the one hand, Anselm and Henry of Winchester on the other, had never allowed their respective rights to rust, while the same quarrel divided Europe between pope and emperor. The general feeling of state officers and great lords was hostile to the jurisdiction claimed by the Church. Justiciaries and magistrates everywhere saw that two powers could not rule the land together. There was no trace of superstition in the Norman character. The barons disliked the rivalry of men who had risen from the ranks, and would have been well pleased to reduce the whole church establishment to a few chaplains and parish priests, who would do their lords' bidding quietly. It is clear that these views were incompatible with the claims of the Church to control public morality, and to be considered a self-governing corporation, responsible only to its own laws and the pope. Either side, as it got the upper hand, might make life in England unendurable. Without the Church the people would have been pitilessly oppressed, and no outlet would have been open for humble merit; with the State subordinated, England would have been subjected to inquisi-

¹ Becket, epist. 18.

torial courts, and the whole sense of national existence would have been lost. A thoughtful and upright man might easily take part with the State, as St. Louis, Ockham, and Dante did afterwards, or like Hildebrand, Anselm, and Stephen Langton, with the Church. The public, sensible that two opposite theories could never be held together by the same man at the same time, that no one could serve two masters, demanded only that a man should adhere loyally to the flag under which he fought. Becket, as chancellor, was virtually a State servant, retained like a barrister to plead for the crown. Becket, as primate, was bound to consider the Church above all feelings of loyalty or personal attachment. Within certain limits, therefore, he was justified by the morality of his times in acting firmly for the king in his first position, and as firmly afterwards against him. Henry had no right to make a man primate in the expectation that he would betray his duties. But on grounds of honour, Becket cannot be defended. His conduct, though not unclerical, had certainly been such as to give an impression that he was not a zealous churchman at heart; no man ever made that mistake about Anselm or Stephen Langton. Influenced by that supposition, Henry had ordered his justiciary to labour for Becket's promotion as zealously as if the royal rights of the king's son were at stake. Becket knew what was going on, and foresaw the complications that would arise. It is said that he warned the king not to appoint him. The story is probably false; but if it be true, it is certain that he did not let Henry understand how broad a gulf henceforth lay between them. No man was more astonished than the king when the new archbishop threw up his office of chancellor. Without supposing, therefore, that Becket foresaw the great

struggle of his life, it is clear that he obtained the office, which he intended to use as a churchman against the king, by acting as the king's servant and friend. Only a coarse-fibred man could deliberately have gratified his ambition by such an expedient. Yet if the steps by which he climbed to power were slippery, it is fair to remember, that, having obtained it, he had no right to look back; from that moment a new history began for him. He fought out the doubtful contest with unflinching courage; and expiated the great crime of his life with his blood.

From the day of his consecration by Henry of Winchester (June 3, A. D. 1162) Becket's life changed. He still lived in princely state, but he wore sackcloth, diminished the hours of sleep, and submitted to discipline. There is no reason to tax him with ostentation in all this; it was only a frank declaration that with the privileges of his new position he had accepted the duties. It was not long before those duties involved him in quarrels on every side. The king had promised that he should be allowed to reclaim all the old possessions of his see; it is likely the promise had been made with no definite idea of its extent: Becket understood it to comprehend all that any archbishop had ever held. He therefore claimed the castle of Rochester, which had been entrusted for keeping to his see,¹ and

¹ Herbert of Bosham says, (*Vita Becket.*, p. 86) that the deed of grant of William the Conqueror was produced in this case. But this statement cannot outweigh the implied evidence of Domesday Book, which nowhere mentions the castle as part of the Canterbury demesne, or the fact that Eudes of Bayeux

and his party seized it on the Conqueror's death, which they could hardly have done if Lanfranc had garrisoned it. The continuator of Florence of Worcester says, that the grant was made in perpetuity by Henry I., with advice of his barons. Vol. ii. p. 85. It had probably been lost to the see under Stephen.

the castle and lands of Tonbridge, over which the see had probably exercised no rights since the conquest. Gilbert de Clare, earl of Tonbridge, was strong in his noble connections, and in the influence of his pretty sister, whom Henry had once loved. He offered to do homage generally, not expressing what it was for, as in fact some of the Tonbridge estate was held of the archbishop; but Becket refused to listen to the compromise; and the matter went no further, as Henry supported the earl.² Moreover, as a fresh survey of fiefs was now being made, the royal commissioners scrutinized Becket's titles curiously, and decided that he had no right to the homage which William of Ros had hitherto paid him. It is difficult to pronounce positively at this distance of time, but claims for homage and the custody of a castle seem of a kind which a prelate might better have left untouched. Neither was Becket happy in another quarrel. Assuming the right to present to all churches in his demesne, he presented to one which had been in the gift of William of Eynesford. William ejected the primate's nominee, and was forthwith excommunicated. Such a sentence on a tenant-in-chief, without the king's privity, was a breach of the Con-

¹ This seems to have been De Clare's rejoinder. Diceto; X Scriptores, p. 536. The castle of Tonbridge had been given to his ancestor by the Conqueror, with whom he was connected. But the manor attached to it, probably even the ground on which it stood, was made up of patches from neighbouring estates, and those in Otford, Tottingrow, Wrotham, and Axtane hundreds, were in the archbishop's demesne or dependencies. Henshall's Domesday of Kent, pp. 16, 18, 25. "It appears that a predecessor of

Becket had made a similar claim." First Report on the Dignity of a Peer, p. 25.

² Under Henry III. the dispute was finally compromised by an agreement that the earls should do homage, or other appropriate suit, for the manors held of the see, should act as the archbishop's high stewards at his inthronization, and that he should have the guardianship of minors in the family. *Hasted's Kent*, vol. v. p. 207. *Camden's Britannia*, p. 243.

queror's customs; Henry forced Becket to retract his censures. But the archbishop was soon able to retaliate, and annoy the king with signal benefit to the commonwealth. The tenants-in-chief in the different counties were in the habit of paying a fixed allowance of two shillings a hide to the sheriffs; they could give or withhold it at pleasure; and thus had a certain check upon the royal officers.¹ Henry wished these charges to be exchanged for a certain tax, and paid into the treasury. Becket was now able to take his stand on the old usages of the realm. With characteristic intrepidity, he stood forward and denounced the proposal in council. Henry swore "by God's eyes" that it should become law. Becket answered with the same oath that not a penny should be paid from his lands. He carried his point, and is the first Englishman on record who defeated an unjust tax.

There was now open war between the old friends, and Henry determined to define the relations of Church and State. When William I. and Lanfranc concurred in a policy which dissolved the old union of the two bodies politic, they had unavoidably placed them in a condition of suppressed antagonism. If the priest was no longer to judge the layman, it could not be expected that he should be judged by him. If lay tribunals had usurped the moral cognizance of crime, the usurpation must at least be limited to their own body; they must not lay impure hands on those who daily offered up the body of Christ. To draw a simile from natural history, the separation had been like that of some zoophytes; and each dismembered part had given itself a new and complete organization. But the simile fails in one important particular: Church and State were not homogeneous;

¹ Vitæ Becket., vol. i. pp. 113, 114.

for the Church was framed on a different conception of life and directed by different laws. Death and mutilation, the ordinary punishments which deterred men from crime in the twelfth century, could not be inflicted by clerical tribunals, as the canons forbade a priest to shed blood. Again, an appeal lay from the ecclesiastical courts to the pope in Italy; a criminal might thus delay punishment indefinitely, perhaps evade it.¹ The strongest penalty known in the canons was degradation; the unfrocked priest would of course be amenable to lay tribunals in future, but he could not be tried again for his first offence. These privileges filled England with disorder. Osbert, archdeacon of York, who was charged with poisoning his archbishop in the sacramental chalice, escaped on a technical point in an appeal to Rome. At this very time, several of the clergy were on their trial for murder, sacrilege, or other heinous crimes. Becket was abundantly willing to inflict severe punishment on the offenders: he even went beyond all bounds where the king's majesty had been insulted; and punished a priest, who had spoken angrily to a royal justice, with two years' sequestration and exile. But Henry refused to be satisfied; and his counsellors, with great reason, shared his anxiety to change the law. It is probable that the crimes of the clergy, except in a few monstrous and signal instances, had been exaggerated;² examination constantly showed that their wealth was not so great nor their lives so corrupt as

¹ Archbishop Richard mentions a case in which one William and his wife had killed a priest, and declared themselves quite ready to go to Rome for trial; "intendit (G. Freschet) prospere procedere et de leno-

cinio uxoris in viâ, præter absolutionis beneficium, fructus uberioris manipulos reportare." Trivet, p. 84.

² For two cases that can hardly be given in print, see Joan. Saresb., Epist., 305, 310.

men thought. But it is certain that nothing could be worse for the country than to have two jurisdictions, and a belief current among the people that those who ought to guide them were privileged to sin without restraint.

The contest began in council at Westminster (October, A. D. 1163). Henry claimed that men in orders taken red-hand in a felony should be first degraded, and then handed over for punishment to lay tribunals. The proposal saved the honour of the Church, except so far as it impugned the maxim that degradation from the priesthood was worse than death. The bishops were willing to consent; Becket refused. Henry then asked if they would take the old customs of the realm as the basis of a concordat. Becket at first stipulated for the insertion of a clause, "saving the rights of our order," but, after the council had broken up, was prevailed on to go to the king at Oxford and promise unreserved acquiescence. A second more formal council was accordingly held at Clarendon (January, A. D. 1164), in which the respective rights of Church and State were to be stated and codified. The articles drawn up by the crown lawyers were eighteen in number. The principal points were that prelates and abbots should do homage to the king as their liege lord, for life, limb, and earthly honours, saving the rights of their order; that they should not leave the country without the king's consent, and should give pledge, if required, to contrive no hurt to the realm; and that, like other tenants-in-chief, they should assist the king in council and in giving judgment, except in cases where life and limb were involved. This last article would have restored the partial union of synod and witenagemot, as in some sort it anticipated the constitution of our modern House of Lords. On

the assumption that the king's council would henceforth have this double organization, it was provided that all cases in which advowsons were contested between clergy, should come for decision before the royal council. In questions of property, the secular courts were to decide by what tenure the land in dispute was held, and to refer it accordingly to the lay or ecclesiastical courts, unless both parties agreed on the same judge. In criminal cases, the king's justiciary was to have notice of the pleadings, to watch the case, and finally to sentence the accused, if he were found guilty; in other words, the Church was to decide the question of fact, the State that of law. Laymen tried in the bishop's court were to have the benefit of English rules as to evidence; but if witnesses could not be found to appear against a powerful man, the sheriff was to impanel and swear twelve trustworthy men of the district, as witnesses to character. Tenants-in-chief were not to be excommunicated, or their lands put under interdict, till the king had been informed, and his intervention requested. Similarly, the nearest crown officer was to be applied to in the case of tenants on the crown estates; if he failed to do right, he would forfeit the protection of the crown, and might himself be sentenced by the Church. The king should see right done to the lords spiritual, and the lords spiritual should aid the king with the whole powers of the Church. The Church should have no claim on escheats to the crown. The Church jurisdiction on questions of good faith should not extend to debts, which covered so wide a portion of secular business, but only to questions of marriage and dowry, in which the Church had been witness, so to speak. Lastly, the sons of serfs were not to be admitted to orders without the consent of the lord on whose land they were born.

This last enactment, something like a fugitive slave bill, shutting out the poor from their one refuge upon earth, did not touch the conscience of any prelate in the council. But most of them, and especially Becket, were indignant at the general tenour of the articles, moderate and reasonable as these must now seem to any man who does not exalt the mitre above the crown. It was said that Christ's Church was being trampled under foot. It was said, and truthfully, that these were no customs of England; in fact, new laws had become necessary with new circumstances. "Even were they customs," says one biographer of Becket, "Christ has nowhere said, I am a custom, but, I am the truth."¹ It is a pity that Henry did not perceive this. By resting his claim too much on prescription and usage, he left the vantage-ground of theory to his opponents, while he fought his battle with arbitrary expedients which only served to discredit the constitutional cause. It is probable that Becket was taken by surprise, and that neither he nor his colleagues had understood the extent of the concessions required. During three days they deliberated together; once armed men broke into their council, and threatened them with violence. A party among the bishops, among them Henry of Winchester and Gilbert Foliot of London, stood firm. Others implored Becket to yield. He himself was terrified by the storm he had conjured up, wavered, and gave way. "My lord is determined that I shall perjure myself; I must do it, and repent as I can hereafter." Nevertheless, Becket declined to give more than a verbal promise, which redeemed the pledge he had given before the council, and cleared his account with the past. To have set his seal, would have been to add the most binding formality of the times, and to

¹ Fitz-Stephen, *Vita Becket*, vol. i. p. 217.

make a fresh concession.¹ A copy of the charter was given him, and he rode away with his train. "What virtue has he retained, who has betrayed conscience and good name?" said Llewellyn, who bore his cross to him. Becket was bowed to the ground with the consciousness of his sin. But he had the manliness to feel that his life was not ruined by a single day of weakness. It was his duty to rescue the Church from the ruin he had brought upon it. A man of more sensitive honour would have felt that he could not violate his own promise, however given; would have resigned the primacy, and left the event to God. Becket, perhaps, knew that he was the only man who could cope with Henry. He did penance, suspended himself from offering up mass, and wrote to the pope, who had already promised him the support of the holy see,² for counsel and absolution. He received both.

The feud between king and primate was now deadly. Becket tried to quit the country, in violation of the constitutions, without the king's leave; he was twice driven back by contrary winds. Henry summoned a fresh council at Northampton, intending to crush his enemy. The first case brought against the primate involved the double charge of denying justice to a suitor in his court, and refusing to appear to the king's writ, when

¹ I believe this to be the fair view of Becket's conduct. He had promised at Oxford, after the council of Westminster, to sign the customs, of which the draught had not yet been made. There was nothing unusual in this; long afterwards it was the custom to leave to the crown lawyers the work of expressing the sense of Parliament in statutes. On this occasion, Becket was startled to find that his concessions had been

larger than he thought; he was divided between his promise to the king and his oath to the Church. It is probable Henry's lawyers had some warrant for all they did, but the word "old customs" was terribly vague; it might mean Saxon Laws, or Norman state-maxims, or legitimate inferences from either of these.

² Becket, epist. 200, dated October 24, A. D. 1163.

summoned to Westminster. It seems to have been a strong case of contempt of court, but it was interpreted to be treason, and Becket was declared to be "at the king's mercy," that is to say, his personal property was forfeit to the exchequer, unless the crown should content itself with a fine.¹ This decision, which is said to have been chiefly due to the bishops, involved Becket in great difficulty, as he could not mortgage or sell the lands of his see, whereas, had his offence been adjudged to be simple contempt of court, he might, by the custom of Kent, where his manors lay, have compounded for a fine of forty shillings. Accordingly, when the king proceeded to reclaim moneys which he said were due from Becket's chancellorship, the archbishop had to find sureties. Even these were of no use, when he was called to account for the revenues of benefices that had fallen vacant during his term of office, and whose value reached the enormous sum of thirty thousand marks. It is not easy to understand how far these claims were warrantable, but Becket's old intimacy with the king, and lavish habits of expense, make it probable that he had often been allowed to use the royal income as his own. When he resigned the chancellorship, he had provided against the danger of being called to account, by obtaining a formal quittance from the grand justiciary. This was now pleaded, but not with complete success; perhaps it was not held to include private debts. But the king did not want to extort money; he refused an offer of two thousand marks in Becket's behalf from Henry of Winchester; the object of all these measures was to force Becket to resign his office. Almost all the lords, spiritual and temporal, sided with

¹ "Non deberent eum condemnare ad misericordiam regis, in pœnam pecuniariam omnium rerum mobilium." Fitz-Stephen, *Vitæ Beck.*, vol. i. p. 230.

the king; even those who, like Foliot, had been ready to withstand the constitutions of Clarendon, now accepted them as a fact, and were indignant at the primate's breach of promise. On the seventh and last day of the council (October 13th), Becket, having celebrated the mass for St. Stephen's day, entered the king's hall, bearing his own cross. The act was understood as defiance. "If the king," said Foliot, "should call for his sword, king and archbishop would be properly armed," and he tried vainly to persuade Becket to lay the symbol of Church sovereignty down. Roger of York, now legate, swept insultingly through the hall with a rival crozier borne before him; the spears, as it were, were crossed. It was impossible for the king, had he wished it, to recede. He learned that Becket had forbidden his suffragans to take any further part in the council, and appealed to the pope. The primate was questioned, admitted and renewed the appeal. Yet Henry excused the bishops from giving sentence on their chief. Headed by Hilary of Chichester, they passed from the council-chamber to the hall, and told the archbishop that they considered him perjured, renounced their obedience, and appealed against him to the pope. Becket answered that an oath against conscience and right was not binding. Presently, the venerable and pious earl of Leicester came in at the head of a procession to pronounce the sentence of the barons. Becket would not listen to him. "What will ye do? Have ye come to judge me? Ye have no right. A judgment is the decision of a suit; I have put in no pleadings to-day. I was only summoned here in the case of John the Marshal. Moreover, I am your father; ye are laymen. I will not listen to your sentence. I appeal to the pope." Presently raising his crozier, Becket moved to the door amid a storm of curses and

taunts, "traitor, perjured one," from the knights present. The hot spirit flashed out: "If I might bear arms, De Broc, I would soon prove you liar in single combat;" and he bandied foul names with the fiercest of his enemies.¹ It was a clamour as of a city on fire, till the king sent orders that he should depart in peace, and commissioned a herald to attend him. The people in the streets were for Church against king; they fell on their knees and implored the primate's blessing. His household were wiser in their generation; forty clergymen, and many knights and squires, left his service that day.

Becket now considered his life in danger, and contrived, in the course of the next three weeks, to escape to the continent. It soon appeared that he had not miscalculated where his strength lay. He was cordially and respectfully welcomed by the king of France, who was at once superstitious and jealous of Henry's power. The pope, then resident at Sens, received Becket as a sufferer in the cause of the Church; declared that the constitutions were mostly intolerable; refused to accept his proffered resignation, or, accepting it nominally for a few days, restored it again of his own plenary power,² and consigned him as a guest to Pontigny, a Cistercian monastery some twelve leagues off. Henry's envoys found popular feeling so strong in France that the bishops among them thought it better to sink their

¹ Only one of his biographers records the foul names. Will. Cant., *Vitæ Becket.*, vol. ii. p. 13. Garnier says (p. 68); "The holy man said not a word." But even Garnier admits that he had addressed the archbishop of York with "Get thee behind me, Satan," and Becket's habitual use of

bad language is notorious. Nothing can well be worse than calling his archdeacon "archidiabolus" (epist. 15), or Tracy "leno." Grim, *Vitæ Becket.*, vol. i. p. 76.

² Wilkins, *Concilia*, vol. i. pp. 520, 521.

names and titles. They fared ill with the pope; Gilbert Foliot was sharply rebuked for using strong language, and Hilary of Chichester derided for his barbarous Latin. Nevertheless, Alexander temporized. He did not care to break with the king of England while Barbarossa, at the head of the Roman empire, supported an anti-pope. Moreover, it was not the interest of any pope to strengthen a national Church or its primate unduly. Nothing would be left to Rome if Canterbury became supreme in England. It is not the least service of the papacy to civilization that it saved Europe from national patriarchates, like the Russian, no less than from a feudal church establishment.

Henry was not daunted by the ill result of his embassy. The barons, the bishops, and the court clergy were with him. Becket once said that the king's advisers were more to blame than himself.¹ De Lucy, the primate's old colleague and friend, had met him when he first set foot on the continent, and formally renounced the homage he owed him. But Henry had the ungovernable passions of a spoiled child, and ruined his own cause by violence. Public humanity was shocked by the exile of all the archbishop's kindred and servants; even pregnant women and the sick were driven from their homes in mid-winter. The exclusion of Becket's name from the public prayers was even a greater outrage on the good feeling of the twelfth century. But Henry did not spare Rome itself. He ordered that Peter's pence should be paid into the royal treasury: and that all who brought in letters from the pope or the archbishop should be hanged, or set adrift on the sea. He seems, at the diet of Würz-

¹ Becket, epist. 2.

burg (A. D. 1165), to have held out conditional hopes of supporting the anti-pope. But the English barons, although fully prepared to assert the rights of the State against the Church, would not have followed their king in a revolt against the lawful successor of St. Peter. Henry perceived his mistake, and forced his envoys to disclaim the overtures they had made.

Becket's exile lasted six years in all. The first two were passed at Pontigny in the practice of monastic austerities, and the study of canon law. His character became sterner; the sense of his own rights more intense; and the sentiment of burning indignation at his exile, and the treatment of his friends, more intolerable. Three times he cited the king to submit to his censure, the last time choosing a tattered, bare-foot monk as his envoy. Henry answered with bitter contempt; but sent envoys to lodge an appeal while he was still in communion with the Church. Becket now withdrew for a few days to Vézelay, on the borders of Burgundy. There, on Whit-Sunday, A. D. 1166, he anathematized the obnoxious constitutions, excommunicated his chief enemies, among them Foliot, and suspended the sentence over the king. A devoted emissary was found to deliver the sentence to Foliot at St. Paul's altar; but the bishop disregarded it till it was confirmed from Rome. Generally, the excommunicated in England were supported by public feeling, and set the primate at defiance.¹ The king drove him from Pontigny to Sens by a threat to confiscate all the Cistercian property. But the bishops had no resource, except to appeal against their head to Rome, and work, by bribes and

¹ "Quod illi non evitantur, quos . excommunicatos," &c. Joan. Saresb., dominus Cantuariensis denuntiavit epist. 180.

intrigues, among the curia. Even this resource failed in May, A. D. 1168, and the pope, who had suspended the censures, renewed them. A conference at Montmirail (January, A. D. 1169) offered a hope of peace; Becket had promised to concede; and actually declared his readiness to make every concession, "except so far as God's honour was concerned." The king asked him to define that elastic formula: did it mean as much obedience as the greatest of Becket's five predecessors had shown to the least of the kings they lived under? or should the traditional rights of Church and State be decided by the evidence of a hundred men from England, and a hundred from Normandy and Anjou? Becket declined to bind himself by any limitations. The council broke up in disgust at his self-will and bad faith. But the people were still with him; they flocked to see the man "who would not for the sake of kings deny his God, or be silent as to his honour." Within three days, Henry, in a fit of passion, had violated his political treaty with Louis, and the king of France again espoused the archbishop's cause. Other events favoured Becket. Alexander III. was beginning to triumph over the emperor, and adopted a haughtier tone in his dealings with England. Repeated attempts at mediation by the papal legates failed. Once Henry insisted on inserting a conditional clause "saving the rights of my crown," to balance the primate's favourite formula, "saving the rights of my order." Then Becket declared that he could not return in safety without the king's kiss of peace. He even threatened to lay England under an interdict, and excommunicate the king. Henry retorted by issuing orders that all his subjects should abjure the archbishop and the pope; those who regarded the interdict were to be banished. This ex-

remity was not reached, though several bishops, fearing the worst, took refuge in convents. Matters were complicated by the coronation of prince Henry during his father's lifetime. He was crowned by the archbishop of York, without any oath to respect the liberties of the Church, while the bishops, it was said, swore anew to observe the constitutions of Clarendon. Becket felt keenly the indignity to his see, which was thus deprived of its immemorial right. Less patient than Anselm, he complained bitterly to the pope, and never forgave the prelates who had officiated.

Suddenly the world was startled with the news that the king and the primate were reconciled. The peace seemed so complete, that the long continuance of the quarrel was more than ever inexplicable. The exiles were to return, the church property to be restored, the kiss of peace to be given, the young prince to be crowned again by Becket. No mention was made of the constitutions. The archbishop blessed the king, and was invited to spend some days at the court. But it was not easy to undo the past. Those who had profited by the sequestrations of church property positively refused to make restitution. Becket did not care to conciliate them; he had learned nothing and forgotten nothing in his exile; he went back, as he said, to play a game in which heads were staked. His journey to Canterbury was a triumphal procession; the people shouted along the road, "Blessed is he that cometh in the name of the Lord!" Before he set foot on English soil, he had forwarded fresh sentences to his chief enemies, suspending Roger of York, whom he compared to Holofernes,¹ and excommunicating the

¹ Becket, epist. 196. Idonea, a nun, was entrusted with this letter,

bishops of London and Salisbury. He now refused to remit these censures unless they would take an oath to obey the pope's sentence; they declined this as unconstitutional, and preferred pleading their cause on the continent. They repaired to Henry's court at Bures near Bayeux. The king was furious at the report of Becket's proceedings. "Truly I have reared and raised up sluggish and half-hearted men in my kingdom," he exclaimed, "if they do no service to their lord, when he is insulted thus shamefully by a base-born priest." Words of this kind were not uttered for the first time, and Henry's court had become dangerously versed in the record of priests, even popes, who had suffered death for their pride.¹ Four knights, Reginald Fitz-Urse, Hugh de Morville, William de Tracy, and Richard Brito, caught the king's words, and left the court secretly for England. They were pursued, but Lité could not overtake Até. Collecting forces as they went on, and especially aided by the De Brocs, Becket's steady enemies, they broke into Canterbury (December 28th, A. D. 1170), and secured the city with patrols. A short interview with the primate was closed by his refusal to swear fealty anew or remove the sentence on the bishops. The knights rushed out to arm. Becket was hurried by his friends into the transept of the cathedral, but he would not secure himself further, or allow the gates of God's house to be shut. The knights returned, and gathered round him as he stood erect with his back to a pillar. A short, hot controversy, an offer of violence from the knights, met by a blow and a

and her sex suggested the recollection of Judith.

¹ "Habebit pacem suam latro ves-

ter et quidem bonam habebit." Fitz-Stephen, *Vitæ Becket*, vol. i. pp. 273, 290, 291.

oul taunt from the primate, were the prelude to a cowardly murder. The monks round were beaten off, the arm of Grim, who interposed, nearly severed, and Becket cut down with many wounds, and his brains dashed out. Then the palace was plundered, and the charters in it carried off for the king. Remorse first touched the murderers when they found the worn-out hair skins which their victim had used.

Never crime brought punishment more quickly than Becket's murder. Before his dead body all anger was hushed, all jealousies forgotten: even Foliot durst not now plead that it was the cause, not the cross, which makes the martyr. Men remembered only that the primate had struggled and died like a brave man for the Church. Henry lost no time in excusing himself by ambassadors to the pope; but for eight days Alexander would not even see them. A report soon spread among the people that Becket's blood and clothes were working miracles; they regarded Henry for the rest of his life as a second Pilate, whose crime was of nameless atrocity. The king was glad to occupy himself in Ireland till the storm had a little blown over. In May, A. D. 1172, he met the papal legates at Avranches, cleared himself by oath of all intentional part in the murder, and promised to atone for his hasty words by maintaining two hundred knights for a year in the Holy Land, by serving there himself for three years unless excused, by allowing the principle of appeals to Rome, by abrogating all new customs obnoxious to the Church, by restoring their possessions to the church at Canterbury and Becket's adherents, and by faithfully adhering to pope Alexander's cause. Two years later, Henry, attacked by his sons and the king of Scotland, was touched by compunction for his sins

against the saint, visited his shrine as a pilgrim, and submitted to flagellation. Within three weeks, he had triumphed over all his enemies. Yet neither compact nor miracle changed Henry's policy. He was now unopposed master of the English Church, and he kept its sees vacant for years, or filled them up with his own nominees, and chose for promotion the old enemies of Becket, such as Ridel and John of Oxford.¹ Henceforth he and his clergy were on the best terms, and the pope's intervention was required to withdraw them from the secular employments which the king gave them. Appeals to Rome were of less frequent use. From this time forward, the English barons and the courts of law set themselves steadily to oppose the introduction of the canon or kindred civil codes, and while they were plundered in private by our legists, England alone in the west of Europe refused to substitute them for her ancient customary law. In one curious particular, the principle for which Becket had contended triumphed. His own assassins were tried for their offence against an ecclesiastic by the Church, which could only punish them with penances. The story believed by churchmen said that they went as pilgrims to Jerusalem in expiation of their crime, and died there some years later obscure penitents. It is known, however, that Mörville was living thirty years later in England an estated gentleman; from Tracy two noble families are descended, and Fitz-Urse is said to have passed over into Ireland and founded a line of chiefs.² The clergy saw the evil

¹ Thus the see of York was vacant for the last eight years of his life; Salisbury for the last five; and Lincoln from 1184 to 1186. "Gerard la Pucelle, bishop of Lichfield, and Hugh of Nunant, his successor in

the see, were men who had forsaken the service of Becket for that of the king." Robertson's *Life of Becket*, p. 308.

² For Mörville's history, see Foss, *Judges of England*, vol. i. p. 280.

of a system which exposed them to be slain more cheaply than goats or Jews. Within four years of Becket's death, his successor gave up the principle for which the martyr had contended, and allowed offenders against the clergy to be tried in secular courts. His apologetic letter to the pope seems to imply that even more than this had been resigned; and that the clergy by a just analogy were to be subject to lay tribunals for felonies.¹ A year earlier, A.D. 1175, their immunity in all cases relating to the forest-laws had been surrendered. Becket had won nothing; even the archbishops of York continued to wage ceremonial war with the see of Canterbury.

Dean Stanley states that the present Lord Sudeley and Lord Wemyss are descended from Tracy. (Memorials of Canterbury, pp. 92, 93). FitzUrse is said to have founded the M'Mahon family in Ireland, but O'Donovan says Spenser invented the story to discredit M'Mahon, who was then fighting against the English. Four Masters, vol. i. A, 1178, note.

¹ Trivet, p. 85. His exact words are, "Let the Church first exercise her jurisdiction, and if that is not sufficient, let the civil sword supply its defect. . . . And let it not be said that any one is on this account twice punished for the same offence, for what one begins and another consummates, is one act." In one instance, where he claimed a knight captured in a churchyard, he seems to have allowed an appeal to the crown to over-ride the Church claims. Epist. Foliot, 131. Accordingly, Peter of Blois denounces him (Ep. 5) for having given up the dignities of the Church which the glorious martyr had sealed by his blood. Radulfus Niger says (p.

168), "*Causam fidei læsæ et advocacy ecclesiarum in curia decidi constituit*" (sc. Henricus). Benedictus Abbas, vol. i. pp. 149-151, records the case of a certain Adam, chancellor to Henry's eldest son, who betrayed his master's plans to the king during the civil war. Prince Henry, finding that the bishop of Poitiers claimed him as a clerk, gave way so far as not to kill him, but had him whipped through the streets of every town, till he came to Argentan, and imprisoned there (A.D. 1176). Passing over John's reign as exceptional, we find Grostete complaining (Ep. 72) that it was an usurped and customary abuse in England for ecclesiastics to be forced to plead before lay tribunals, under pretence that they had disobeyed a royal rescript. The restrictions in England are the more important, because in Normandy benefit of clergy was allowed to bar all punishments except degradation and exile for a first offence. See the articles agreed to at Rouen in 1205. Duchesne, p. 1069.

Becket has enjoyed the singular privilege of being known to us almost solely by his own letters and the writings of his friends. The portrait thus handed down is abundantly life-like. His person, his conversation, the friendly jest with his attendants, the oaths and foul abuse to his enemies, the healthy love of field sports, the open-handedness to all around him, are as fully recorded, as the austerities by which he struggled against an animal nature, the pride with which he held the resolve once taken against a king, the courage with which he died for it. Not a scholar in the estimation of his age,¹ he delighted to surround himself with learned men, and found leisure during his exile to procure transcripts of the treasures of foreign libraries.² Not a man of noble birth, at a time when the pride of race was extravagant, he flung back the taunts of his enemies with a splendid scorn: "It is true I am not sprung from an ancient line of princes. But I would rather be one whose nobleness of mind makes its own pedigree, than one in whom the generous blood of his fathers degenerates."³ It is difficult not to admire such a man; he seems to tower above his contemporaries; it is his personality and character that bear down the violent but weak-willed king, who rolled on the ground in paroxysms of frenzy, attempted the life of those who brought him ill-news, and blasphemed God for allowing the beardless king of France to defeat a sovereign who had given so largely to the Church.⁴ Yet Becket, with

¹ William of Canterbury says: "Quatenus lascivia ætatis et angustia temporis permisit, in illis (sc. liberalibus artibus) profecit." Compare the remark in the Lambeth MS., that he might have been a good scholar if he had studied longer.

Vitæ Becket., vol. ii. pp. 1, 74.

² Girald. Camb., de Instruc. Princ., p. 187.

³ Becket, epist. 75.

⁴ Girald. Camb., de Instruc. Princ., p. 113.

more decorum of manner, was not less passionate. Believing that the sentence of the Church excluded from life eternal, and ought to exclude from fellowship with men, he chose the day of the Lord's nativity, a time when he himself expected death, to excommunicate the ruffian who had cut off the tail of his horse. Trammelled by a theory too monstrous for any man but himself to have asserted fully, he involved himself in repeated inconsistencies, and incurred the charge of insincerity by retracting promises which his common sense had made, and which a fatal logic repudiated. During life he represented no idea; he viewed the supremacy of Church above State, not as a struggle of eternal with temporal law, but as a question of ceremonial and privilege.¹ With Dunstan we connect English monachism, with Anselm church independence, with Innocent the supremacy of the popes over all kings; but Becket's exile and death won nothing for his order: a title, a splendid shrine, the devotion of worshippers, showed that a heroic man had passed away; but what in England or the world embodies Becket's thoughts?²

¹ John of Oxford accused him of looking mainly throughout the struggle to the profit derived from the commutations of church penances. Becket, *Epist.*, 346. The charge is that of a virulent enemy, but it shows at least one aspect of the controversy.

² In writing this chapter, I have freely availed myself of the spirited and masterly sketch of Becket's life by Dean Milman (*Latin Christianity*,

vol. iii.), of the more elaborate researches of Canons Robertson and Morris, of the almost exhaustive article by Professor Stanley on "The Murder of Becket," and of an article in the *Dublin Review*, No. 97, "St. Thomas at Battle Abbey." It is to be hoped that the lives and letters of Becket and his correspondents will before long find a careful and competent editor.

CHAPTER XXX.

THE CONQUEST OF IRELAND.

EARLY IRISH CIVILIZATION AND POLITY. ENGLISH SCHEMES OF CONQUEST. DIARMAID MAC-MURTAGH. FIRST INVASION UNDER FITZ-STEPHEN. SECOND INVASION UNDER STRONGBOW. HENRY RECALLS HIS SUBJECTS. STRONGBOW'S DIFFICULTIES. SIEGE OF DUBLIN. HENRY'S VISIT TO IRELAND. CHURCH REFORMS AND TERRITORIAL CHANGES. TREATY WITH RODERIC O'CONNOR.

THE conquest of Ireland is among the most important episodes in the reign of Henry II. Placed at the extremity of Europe, Ireland, by a fatal fortune, was free when the world was enslaved by Rome, and learned and pious while the Saxons of England were pagan and barbarous. The legends of Welsh conquest in the island must probably be reduced to one or two successful landings on the coast;¹ but they indicate a connection between the two shores of St. George's Channel, which was often interrupted and as constantly renewed. During the Roman dominion there are traces that Druidism retreated to Ireland as to a last stronghold, and the sacred fire of St. Bridget's chapel and rocking-stones and giants' rings remained almost undisturbed till the time of its English conquerors. In the middle of the fifth century, St. Patrick commenced the preaching of Christianity by lighting forbidden fires on the sacred altar of Tara; and the seers foretold that

¹ Bran the Blessed. Mabinogion, vol. iii.

the flame so kindled, if not extinguished that night, would burn for ever. The triumph of Christianity brought with it the learning and civilization of Rome,¹ and Romans or Romanized citizens of Britain, fugitives from the Saxon conquest, crossed over into the island where their faith was a bond of union and their lives secure. The missionaries Columba and Gall, the geographer Dicuin, the thinker Scotus Erigena, and the historian Marianus Scotus, illustrated their country by names of European celebrity. An Irish divine was called in by the married clergy of England to plead for them at the synod of Calne, and his eloquence over-matched Dunstan's authority. The school of Glastonbury was an Irish colony, and the native school of Banchor is said to have numbered three thousand scholars in the eighth century. Northumbrian scholars, one of them afterwards a king, flocked to the sacred island, and devoted years to study under its great masters.² Side by side with this literary eminence went a certain progress in the arts. Stone buildings, cemented with lime, became increasingly common after the fifth century.³ The famous round towers, which belong to the transitional period between Roman and Gothic art, and served as belfries, lighthouses, and towers of defence, show that the theory of construction had advanced beyond its mechanical appliances. Their symmetry is perfect; but the courses of rough stones which compose the most ancient have evidently owed little to the mason; their very form is probably due to the

¹ Petrie's Round Towers, pp. 137-9.

² Bede, H. E., lib. iii. c. 27; lib. v. c. 10. Vita S. Cudberti, c. 24. The insulæ Scotorum in which Aldfrid studied might be only Iona and

the neighbouring isles; but the Irish poem, Prince Aldfrid's Itinerary, is some evidence of a tradition that he visited Ireland. Mangan's Poems, p. 379.

³ Petrie's Round Towers, p. 158, &c.

want of cranes, by which heavy weights might be raised and of skill to bridge a space.¹ The smith's art was not unknown in Ireland, and the country is rich above others in its golden ornaments, whose material the local mines supplied.² But a native coinage was first introduced by the Danes, and the coat of mail which English armourers forged was unused in Ireland; in the time of their worst need, the natives opposed their naked bodies to invulnerable foes.³

Ireland expiated dearly its independence of the Roman dominion. The secret of its long anarchy and weakness lies in the fact that it was Christianized without being civilized. Its forests and morasses were never traversed by a network of solid roads such as knit the different parts of England together; the legionary never girdled its populous townships with walls; and it is doubtful if the whole country possessed a native city of importance except at Tara and at Cashel.⁴ Without the culture of municipal institutions, without Roman laws of property and inheritance, without the tradition of an empire, one and indivisible, the nation was, and could be, nothing

¹ It seems superfluous to add anything to Dr. Petrie's exhaustive arguments. But I may observe that the insulation of the bell-tower from the church is customary in Russia, not uncommon in Italy, and sometimes met with in England. It is easy to understand why the tower, at once more solid and architecturally more complete, survived the main building.

² Worsaae's Danes, p. 335.

³ The Danes are constantly distinguished in Irish Chronicles as "the mailed-men," "the mail-coated foreigners." E. g. Wars of the Gaedhil and the Gael, pp. 191-5.

⁴ The only exception I can discover mentioned by Mr. O'Curry is the city of Emania, founded B.C. 289, and destroyed A.D. 331. Ailiac he does not identify except by conjecture with Ailinn, which was merely a palace in Kildare. O'Curry, *Ancient Irish History*, pp. 63, 64, 222, 492. Of course I do not include the cities of the Ostmen. Tara had ceased to be a royal residence by the ninth century, and Cashel of the kings owed its importance to the fortifications of Brian Boromhe. Wars of the Gaedhil and the Gael, p. 45, note 1, and p. 141.

more than a cluster of clans. Any one of the reigning family might succeed the chief. The heir-apparent was nominated by election among the tribe in the chief's lifetime, and called "tanist." Among the strange principles of tanistry, was one that no man could bind his successor.¹ This, in other words, made the individual the final element in the State; made social organization dependent on single lives; and if it were strictly interpreted, mortgages, leases, and national treaties, were impossible. A similar disregard for contracts and respect for natural facts is observable in the law by which marriage did not affect succession; the bastard shared equally with the lawful child, but women could not inherit. Land was the common property of the clan, and a fresh division was made on the death of every proprietor. The natural, not the civil, family was the basis of the State, and the tie of blood was supplemented by the relation of fosterage. The fighting men of a tribe were early distinguished from the peasants; trade was comparatively unknown, and seaman'ship unpopular. The power of the chief was bounded principally by the public feeling of his followers; there was no upper class, except the royal; the land had many princes, but no nobles. The right of making war was among the prerogatives of the chief. Gradually the country had settled down into five provinces and four royalties, the central district of Meath belonging, during his reign, to the federal king. But the federal royalty was a diplomatic unreality, which indeed lent prestige to a powerful monarch, but did not invest the weak with authority. Altogether the institutions of the country seemed framed with the view of

¹ Davies' Tracts, pp. 8, 9.

making order impossible.¹ The wave of Danish invasion passed over the land, and left it unchanged, except that the Ostmen, as they were called, erected a few stone fortresses and colonized a few cities, such as Dublin, Waterford, and Limerick. Meanwhile the people were unsubdued, and scarcely affected by the foreign influence. Their numbers made it impossible to exterminate or absorb them; the vivacity, courage, and intelligence of the men, the grace and beauty of the women, perpetually conciliated those who had settled among them as conquerors. The alien became more Irish than the native; and the blood of Brian Boromhe himself mingled with the race he fought against and conquered.²

Intellectual and devout, the Irish were still barbarous in their habits, and their very religion bore traces of heathen influences. Alliances were made by transfusion of blood. In Ulster, the chief of one of the clans was consecrated in a bath of broth. Oaths were taken on objects of reverence; about A. D. 1150 we find the kings of Meath and Connaught swearing on the staff of Jesus,³ the bell of St. Fechin, and the white cow of St. Kevin. The Beltane fires on the claddagh of Galway, and the sacred fire of St. Bridget, which burned day and night at Kildare, are no doubt connected with old Druidical rites. There were parts in which the people were still unbaptized, and parts in which the son of a chief was

¹ Mr. O'Curry, a warm patriot, says: "The downfall of the Irish monarchy, and of Irish independence, was owing more to the barbarous selfishness of the house of O'Conor, of Connaught, and their treachery towards each other—with all the disastrous consequences of that treachery to the country at large,—than to any other cause either within

or without the kingdom of Ireland." O'Curry's *Ancient Irish History*, p. 115.

² Worsaae's *Danes*, p. 320.

³ This seems to have been a crozier, belonging to the see of Armagh, and believed to have been St. Patrick's. O'Curry's *Ancient Irish History*, p. 602.

baptized by a triple immersion in milk.¹ The Church seems in a vague manner to have acknowledged the supremacy of Rome; and the cities of the Ostmen affected a connection with Canterbury.² But many uncanonical practices prevailed. Polygamy and marriages within the prohibited degrees were common. The clergy, who otherwise bore a high character, were addicted to hard drinking, especially after fasts, and often married, or kept concubines, although celibacy had been enjoined by several synods. The people generally were stigmatized by their conquerors as fickle and faithless. The habit of going about armed with an axe, which was used, like the modern shillelagh, on the smallest provocation, contributed to frequent breaches of the peace. The fine proportions and handsome features of men and women generally contrasted strangely with the great number of cripples and deformed. But their long yellow hair fell in tangled masses over the shoulders and breasts of the men; their dress was a sheepskin with short sleeves, and perhaps adorned with patches of different colours. The chief, who could not sleep in a bed when he came to the English court, was pretty certainly a fair sample of his country. But one refining influence existed: the people were fond of, and skilled in, music.³

There were reasons, besides the mere lust of conquest, why an English king should desire to reduce Ireland.⁴ It had given harbours and recruits to the Northmen on their expeditions; Irish soldiers had

¹ Benedictus Abbas, vol. i. p. 30.

² Moore's History of Ireland, pp. 167-170. Lanfranci Epist., 39. vol. i. p. 5.

³ Girald. Camb., Top. Hib., c. 25-35.

⁴ A. 684. "Ecgridus Rex Nor-

thanhimbrorum misso Hiberniam exercitu cum duce Berchto vastavit misere gentem innoxiam et nationi Anglorum semper amicissimam." Chron. Stæ. Crucis, Edinburg. Anglia Sacra, vol. i. p. 156.

fought at Brunan-beorh against Athelstane; English exiles, like the sons of Harold, repeatedly fled to the island, and awaited the opportunity of reprisals upon their own government. Irish pirates infested the English coasts, and carried off prisoners, whom they sold as slaves. Accordingly, William the Conqueror had meditated subjugating Ireland, if he lived two years longer; William Rufus once declared, as he stood on the coast of Wales, that he would bridge St. George's Channel with a fleet of ships.¹ But it was reserved for John of Salisbury to obtain from his intimate friend, the English pope, Adrian IV., a grant of Ireland to the English crown as a hereditary fief (A. D. 1154).² The pope's right to confer it was derived from the forged donation of Constantine, by which all islands were granted to the see of Rome: the right of a Roman emperor to dominate the world was still undisputed in diplomacy. Reasons for the gift were found in Henry's desire to instruct an ignorant people, extirpate vice from the Lord's vineyard, and introduce the payment of Peter's pence. Nevertheless, the difficulty of invading Ireland seemed greater than any profit likely to result from it. The king's council opposed the enterprise; and for some years the project was suffered to sleep.

But the wretched disorders of Irish politics invited the invader. Diarmaid Mac-Murchad, king of Leinster, was a restless and unscrupulous prince; ambitious, vindictive, and barbarous, but liberal to the Church³ and beloved by the lower orders. In A. D. 1152, he chanced to be at feud with Tiernan O'Rourke, lord of Breffny, in East Connaught, and determined, as part of

¹ A. S. Chron., A. 1087. Girald. Camb., de Inst. Princ., p. 144.

² Joan. Saresb., Metalog., c. 42.

³ Monast. Hibern., p. 387.

his revenge, to seduce Roderic's wife, the beautiful Dervorgilla. Although now past middle life,¹ Diarmaid's soldierly reputation or tall stature triumphed over the lady's virtue, and aided by her brother, she eloped "with her cattle and furniture,"² from an island in Meath where her husband had placed her for security. The king of Connaught, who was then also king of Ireland, forced Diarmaid to restore the guilty wife to her husband (A. D. 1153).³ But the feud thus begun lasted, with fluctuations of fortune, as the national sovereignty changed hands, through thirteen years. Then a new king of Connaught was crowned at Meath, and espoused the cause of his vassal effectually. The federal army, aided by the Ostmen of Dublin, who had some experience of Diarmaid's barbarity, united, and drove the king of Leinster from his dominions (A. D. 1166). Embittered by the desertion of his vassals, and with his kingdom declared forfeit, Diarmaid burned his capital, Ferns, and repaired to the court of Henry II. in Aquitaine. The offer to hold Leinster, if Henry would reinstate him, as an English fief, procured Diarmaid free quarters in Bristol, to which he speedily returned, and letters patent authorizing any English subject to assist him. Diarmaid published these, and promised large rewards in land to those who would help him to win back his kingdom.

The most powerful ally whom Diarmaid's offers attracted was Richard de Clare, surnamed Strongbow, earl of Pembroke, and distant cousin to the king. A

¹ He was aged sixty-one and the lady forty-four. O'Donovan's *Four Masters*, A. 1193, note c.

² The *Four Masters*, A. 1152.

³ She seems to have retired at

once into the Monastery of Mellifont, where she died in 1193, *ætat.* eighty-five. O'Donovan's *Four Masters*, A. 1193, note c.

promise of Diarmaid's daughter *Eva* to wife, with the succession of Leinster as a dowry, induced the earl whose fortunes were dilapidated, to promise that he would embark next year with his whole force in the enterprise. Three other adventurers were enlisted. Two of them, Robert Fitz-Stephen and Maurice Fitz-Gerald,¹ were sons, by different fathers, of Nest, a Welsh princess; the third was Maurice de Prendergast. Diarmaid, in his impatience, preceded his allies into Ireland, taking with him a small company of English troops under Richard Fitz-Godobert, a Pembrokeshire knight. He sustained a repulse, but contrived to negotiate, till, in May, A. D. 1169, Fitz-Stephen landed near Wexford. Thirty knights, sixty men-at-arms, and three hundred and sixty archers, composed the Anglo-Norman force, which was only recruited by five hundred men under Diarmaid, when it marched to the siege of Wexford. The citizens had prepared to meet the invaders in the field, but the sight of mail-clad men inspired a panic: they burned their suburbs, and retired within the walls. A vigorous and successful defence the first day did not inspirit them. By advice, it is said, of two bishops,² they agreed to capitulate, gave hostages, and renewed their allegiance to Diarmaid. Wexford was at once handed over with its territory to Fitz-Stephen. The first success of the allies was followed up by a vengeful expedition into Ossory. In a victory here, two hundred heads were laid at the feet of Diarmaid. The grey savage danced in triumph over the

¹ "The Fleet of the Flemings came from England in the army of Mac Murchadha to contest the kingdom of Leinster for him; they were seventy heroes dressed in mail."

The Four Masters, A. 1169. The term Flemings is used elsewhere, and probably refers to the Flemish colony in S. Wales.

² The Four Masters, A. 1170.

bloody spoils, and, recognizing the features of a private enemy, caught up the head by its gory scalp, and fastened his teeth in the mouth and nose. Before long, the army of Ireland had taken the field under its king, Roderic O'Connor. But it could effect nothing against the fortified camp near Ferns, in which Diarmaid's troops sheltered themselves. The king consented to re-invest Diarmaid with Leinster as a fief; and peace was made. A secret article stipulated that no more strangers should be brought over. But the next troops who arrived were none the less taken into Diarmaid's service, and their presence enabled him to reduce Dublin to allegiance. Roderic was occupied with a civil war in the north.

In spite of all the advantages won, the position of the allies was still insecure. Something more than an invincible army was wanted to found a kingdom. Fitz-Stephen was admirable in the field, a dashing cavalry captain, open-handed and genial, but over-fond of women and wine, and without the higher capacity of a general or a statesman. The presence of Strongbow, who had not yet come over, was the more earnestly desired, as he possessed all the qualities which Fitz-Stephen lacked. An ungainly, scrofulous man, with the quavering voice of a woman, gentle-natured and wanting in enterprise, Richard de Clare was a diplomatist in council and a tactician in the field. No reverses disheartened him, and no fortune tempted him into any indiscretion. He was prone to hesitate on the brink of a great achievement, but he stood firmly by the purpose he had once adopted, and carried it out against stronger opposition than had daunted him at first.¹ He had delayed crossing till the terms of the

¹ The characters of Fitz-Stephen and Strongbow are very vividly por-

royal patent were already fulfilled; Diarmaid was reinstated, and English subjects **had no authority** to carry on war on their own account in Ireland. Strongbow accordingly went to Normandy, and asked permission to push the advantages gained. Obtaining only an ambiguous answer from the king, he determined to consider it in his favour, and went back into Wales to prepare an expedition. In May, A. D. 1170, he sent over Raymond le Gros, Fitz-Stephen's half-nephew, as his precursor. At the rock of Dundolf, near Waterford, Raymond, with fifteen knights at most, and not a hundred archers, defeated three thousand Irish with immense slaughter;¹ but the victory was sullied by the murder of seventy prisoners, whose bones were broken and themselves thrown into the sea. The excuse of this crime was, that the Irish gave no quarter, that their prisoners paid no ransom, and that on this occasion the captives outnumbered the captors. Raymond, it is said, was averse to the massacre, and only yielded to the advice of Hervei de Mount-Maurice, who knew the country. It is clear that the bitter hatred of race was already springing up—a dangerous feeling for both, where the conquerors were raised like *demigods* by their armour and civilization above the natives, and where these were certain one day to bridge over the interval. It is probable that Diarmaid's treachery did much to exasperate the Normans. Flushed with success, he had treated his allies with contempt, and *was* suspected, on probable grounds, of intending to rid the country of them.

trayed by Giraldus Cambrensis, Hib. Exp., caps. 26, 27.

¹ This startling result is partly ascribed by Regan (Conquest of

Ireland, p. 70) to accident. The cattle in the English camp, terrified at the preparations for battle, *rushed* out, and disordered the Irish ranks.

In August, A. D. 1170, as Strongbow was preparing to embark,¹ he received an explicit order from the king not to proceed. Quietly disregarding it, he crossed with a little army of twelve hundred men, out of whom two hundred were knights. The storm of Waterford was his first exploit; and it illustrates the Irish architecture of the times, that the city walls were trenched by cutting away the wooden props of a house that was built into them. The frightful carnage of the storm² was succeeded by the earl's marriage with Eva, who brought a kingdom as her dower. Then the united forces marched upon Dublin, where the governor, Hasculf, had lately been encouraged, by the presence of a large army under Roderic O'Connor, to throw off his allegiance to Diarmaid. Strongbow penetrated between the Irish forces and the city. The men of Dublin sent out their archbishop to mediate, and terms had almost been arranged, when Miles de Cogan became impatient, and somewhat dishonourably stormed the walls at a weak point which he had reconnoitred. The inhabitants experienced the worst miseries of the conquered. Hasculf, and Asgall, king of the Northmen, escaped on board some small vessels to their countrymen in the Orkneys. Miles de Cogan was left in command of the city he had won. The earl and Diarmaid returned to Ferns, where the king died soon afterwards, full of years and stricken with a mysterious disease,³ in which his contemporaries recognized the avenging hand of God. Yet he meditated the conquest of all Ireland, and sacrificed his son, whom the king of Connaught put to

¹ "Cumque jam solvere pararet." Newburgh, vol. i. p. 161.

Masters, A. 1170.

² Seven hundred persons are said to have been killed. The Four

³ "He became putrid while living." The Four Masters, A. 1171.

death, to his unwillingness to make peace. Never traitor was more worthless than Diarmaid. But his death did not relieve his nation from the fears which now overshadowed them. The synod of Armagh had met during this year, and declared that God was judging the people for their sins, especially for the crime of keeping Christians in bondage. It was ordered that all the slaves throughout the land should be set free.

It seemed for a moment as if the Irish would free themselves. Indignant at Strongbow's disobedience, Henry summoned him to appear before the curia, forbade all traffic and intercourse with Ireland, and commanded all English subjects there to return before Easter, A. D. 1171, on pain of banishment and forfeiture of their estates. The earl, in alarm, sent Raymond le Gros to the court, which was then in Aquitaine, reminded the king of his permission once given, and offered to hold all his conquests of the crown. Henry did not even deign to answer this letter. The earl resolved to bide by his enterprise, and risk the forfeiture of his English estates. But his followers were less hearty in the cause: many of the English left his standard and returned; and the Irish melted away from a chief to whom they owed no natural allegiance. Presently Hasculf appeared in the Liffey, with sixty ships from the Orkneys and Norway.¹ But his foreign allies, though better armed than the Irish, were not more successful against the Norman chivalry. The small garrison of Miles de Cogan won a glorious victory, and Hasculf

¹ Mr. Wright, in his preface to Regan's Conquest of Ireland, p. xi. has impugned the dates given by Giraldus, and placed the siege by O'Connor before the siege by Has-

culf. I cannot discover any reason for this. The Four Masters agree with Giraldus, and there was ample time for the two sieges between Easter and St. Bartholomew's day.

himself was taken. His gallant threat, that he would do greater things if he lived, provoked the governor, who ordered him to be killed. Strongbow had perhaps arrived in time to take part in the fight.¹ He was certainly in the city soon after, when a league, promoted by archbishop Laurence, brought together a second Norwegian fleet from the Isle of Man, and a federal Irish army under Roderic of Connaught. Dublin was closely invested; and, as the English were short of provisions, which had hitherto come to them from England, the besiegers trusted to a blockade. Two months had passed, and Strongbow was reduced to such extremities that he offered to become Roderic's vassal. He was answered with a summons to quit the country, or prepare for an assault. At the same time news came that Fitz-Stephen was besieged in Carrig, near Wexford, and could only hold out some three days longer. His wife and children were in the fort with him. Despair and alarm inspired Maurice Fitz-Gerald, Fitz-Stephen's half-brother, with a happy suggestion to Strongbow that they should cut their way through the investing army. The sally ended in a decisive victory: six hundred English routed thirty thousand Irish, and returned laden with plunder and provisions. The road to Carrig was now clear, but the relieving army arrived too late. Deceived by the solemn oaths of the Irish that Dublin had fallen, Fitz-Stephen had capitulated, on the promise of a safe passage to Wales, and was instantly loaded with chains. Of all his possessions, Strongbow only retained Dublin and Waterford.

¹ "Mès des Engleis à icel jor Esteit Ricard de tut la flur." Regan's Conquest of Ireland, p. 114. I place no confidence in Regan's ac-

curacy, but the Four Masters say that Roderic and his allies laid siege to the earl (i.e. Strongbow) and Miles Cogan.

The earl now perceived that he could effect no lasting conquests by himself. He crossed over into England, and waited upon Henry at Newnham, in Gloucestershire, where a large army had already gathered round the king. The terms of reconciliation were arranged, with a little difficulty: Strongbow renewed his homage and oath of fealty, and engaged to surrender Dublin and the other fortified posts of Leinster to Henry. In return he received back his English estates, and was to retain his other Irish territory. King and earl then set sail, and landed near Waterford. (October 18, A. D. 1171). The fleet comprised four hundred ships, and at least five hundred heavy-armed soldiers, with many archers, were on board.¹ A deputation from the citizens of Wexford soon appeared, delivered Fitz-Stephen to the king, and claimed the merit of arresting an English rebel. It was Henry's policy to play the part of mediator between his piratical subjects and the natives. Fitz-Stephen was kept some weeks in custody as prisoner of state. In a royal progress to Cashel, Henry received the submission of the native princes of Munster, and placed rulers over Cork and Limerick. His success encouraged him to display his natural sympathies: Fitz-Stephen was liberated, Wexford annexed, and some of the late deputation punished with death. Yet nothing arrested the general impulse of submission. O'Rourke came in at Dublin. Roderic himself, who had collected an army on the banks of the Shannon, gave way at the critical moment, and agreed to render homage and pay tribute. Christmas was passed at the

¹ "About four thousand men at arms." O'Donovan, *Four Masters*, A. 1171, who quotes Harris's *Hibernica*, p. 36.

capital—even then important from its commerce—with **a full court and amid lavish hospitality.**

Early in A. D. 1172, a synod was held at Cashel. The programme of Church reform was carried out. **Marriages** were no longer to be allowed within the seventh degree of relationship. Baptisms were to be public, and more formal than heretofore. Tithes were instituted; and church lands were freed from the hospitality and other burdens which the chieftains of the country had been accustomed to exact. The clergy were freed from the legal obligation to assist in paying the blood-fine of a relation.¹ These laws, especially the first and last, which struck at the clan system, were salutary enactments. But they do not seem important enough to exculpate Henry before God and man for his violent conquest of an inoffensive people; rather they tend to prove that Irish barbarism had been overstated. "If our calendar wants martyrs," said the archbishop of Cashel bitterly, "it is that our uncivilized Irish have always revered God's service and its ministers; our conquerors are practised in slaying the saints." The court held at Lismore to establish order among the English settlers is better evidence than any synod of the real objects of the conquest. The country was partially distributed among Norman nobles; but as the English conquest of Ireland, more rapid than the Norman of England, had been effected by fewer men, and was more insecure, the changes in the property and laws of the nation were proportionally smaller. Meath, as the appanage of royalty, of course accrued to the English crown, and Henry assigned the whole of it to Hugh de Lacy, whom he made justiciary of the realm and governor of Dub-

¹ Wilkins' Concilia, vol. i. pp. 472, 473.

lin. The object of this enormous grant, no doubt, was to balance Strongbow's power. The families of Desmond, Ormond, and Vernon received other estates. But the number of those invested was small; and although some of the Irish, by a sort of fiction, received their estates again of the king as fiefs, they were to be held by native, not by feudal laws of succession. Generally the native laws were to remain in force, except among English settlers, or where provision to the contrary was made. The slightness of the change, no doubt, mainly contributed to the readiness with which the supremacy of the English crown was accepted. In April, A. D. 1172, Henry was able to return to England, leaving only Ulster behind him nominally unsubdued.

A series of petty wars between Irish chiefs and Norman nobles soon broke out. The precarious nature of the English dominion became manifest; and Henry was forced to publish the papal grant of Ireland, which he had hitherto suppressed. At last, in A. D. 1175, Roderic O'Connor made a treaty with the English crown, and agreed to render homage and submission, and a tribute of every tenth hide, in return for royal rights in his own kingdom of Connaught. At the same time, the limits of the English pale, as it was afterwards called, were defined. This district, which was immediately subject to the king of England and his barons, comprised Dublin with its appurtenances, Meath, Leinster, and the country from Waterford to Dungarvon.¹ The articles of this treaty were ratified in a council of prelates and barons. From the

¹ New Rymer, vol. i. part i. pp. 31, 32. *Raida*, in the treaty as printed here, should be *Mida*. Benedictus Abbas, vol. i. p. 124.

English point of view, the kings of England were henceforth lords-paramount of Ireland, with the fee of the soil vested in them, and all Irish princes in future were no more than tenants-in-chief. From the Irish point of view, the English kings were nothing more than military suzerains in the districts outside the pale.

CHAPTER XXXI.

PRIVATE LIFE, AND FAMILY WARS AND DEATH, OF
HENRY II.

CHARACTER OF HENRY II. FIRST FAMILY WAR. SUCCESS OF THE OLD KING. SECOND WAR. SIEGE OF LIMOGES, AND DEATH OF PRINCE HENRY. WAR WITH RICHARD AND PHILIP AUGUSTUS. DEATH AND PUBLIC CHARACTER OF HENRY II.

THE death of Becket and the conquest of Ireland did not give Henry the repose he desired. The double curse of his own actions and his wife's character followed him inexorably through life. There were strange stories of Eleanor's ancestry. Her father had carried off his viscount's wife, and had been cursed by a monk of the time with a prediction that no good fruit should ever come of the unhallowed alliance. One of her ancestors had married a woman of no birth, but endowed with marvellous beauty. It was observed that the countess always quitted church before the mass was offered up. One day her husband gave orders she should be detained, and the lady escaping from those who held her, rose into the air, with two of her children in her grasp, disappeared through the church window, and was never more seen. "We came of the devil, and shall go to the devil," was Richard Cœur de Lion's comment upon this tradition.¹ But Henry needed no other Nemesis than that of his own crimes. He had unbridled passions, and no principle but a fear of divine

¹ Brompton ; X Scriptores, c. 1045.

wrath and a hope of divine favour. His penance at Becket's tomb, while he favoured Becket's murderers and disregarded his principles, was no mere appeal to the bigotry of the multitude, but rested on the idea that he could cajole the saint into procuring success for him. In a similar spirit, he once exclaimed, in the last years of his life, that he would no longer reverence Christ, who gave a beardless boy the victory over him. In his observance of promises, Henry was so bad as to be branded with utter untrustworthiness by his contemporaries. Yet the truth seems to be that he fixed certain arbitrary bonds to himself, the feudal oath or kiss, which he never broke; he was thus punctilious but not honourable. His love of diplomacy was increased by his want of warlike ability;¹ rapid movements and large forces often won him successes; but he was not a match for soldiers-born, like his own sons, or Philip Augustus. A passionate and uncertain man, Henry was disliked in his own household. His conjugal infidelities distressed his queen the more that she was older than himself. The fiery and vindictive woman revenged her wrongs as a wife on Henry's heart as a father.

The coronation of the young prince Henry had been procured by his father at the price of much intrigue, many promises, and a yet deeper breach with Becket. During Becket's lifetime, it enlisted the prince on his father's side against the primate, whom he regarded as his enemy. But when Becket was removed, prince Henry soon wearied of the title, without the power, of royalty. During a visit to Paris, he was persuaded by the French king to demand that his father should en-

¹ "Omnia prius quam arma pertentans." Girald. Camb., de Inst. Princ., p. 71.

trust him with England or Normandy. The news of this intrigue reached Henry II., and he instantly recalled his son. But in A. D. 1173 the king of England was in the south of France, occupied with a settlement of feudal claims, and a contract of marriage between his youngest son, John, and a princess of Savoy. Prince Henry took occasion to protest against the cession of Chinon, Loudon and Mirebeau, as his brother's marriage portion; and having established a grievance, escaped from the court as it returned north, and took refuge at St. Denys. It soon appeared that there were other malcontents in the king's family. Richard and Geoffrey contrived to join their brother; the queen herself was taken in man's clothes, as she tried to fly, and thrown into prison. Nevertheless, Henry was not dismayed. The bishops stood by him; and of all his sons' retinue, only three accepted permission to follow their masters' fortunes. The importance of the war was not understood for some time. Hatred of his powerful neighbour had long rankled in the breast of Louis; and while the king of England so little suspected, or so profoundly despised him, that he offered to make him mediator, the French king meditated an implacable war. He rejected the proposed office, on the ground that Henry was thoroughly faithless. In an assembly at Paris, every discontented noble who held anything of the English crown was invited to transfer his homage to the young king, and the counts of Flanders and Blois were among those who complied. The fidelity of the nobles of Aquitaine had already been undermined. The king of Scotland was bought over with the promise of Northumberland for himself, and Huntingdon and Cambridgeshire for his brother. The earls of Leicester and Derby agreed to raise the

standard of revolt. Strong in these allies, Louis fortified his castles and collected an army of twenty thousand Brabançons.

Yet the successes of the first campaign were on the whole with Henry, who took Dôl with the earl of Chester inside it, and forced Louis to retreat from Verneuil with only the discreditable success of surprising one of its three castles under cover of a truce. The count of Flanders, who had taken Albemarle (it was said by connivance of its earl), retreated in superstitious terror from Driencourt, on the death of his brother, the count of Boulogne. In England, the Scotch were driven back from Carlisle, and the earl of Leicester, who had invaded the eastern counties with a force of untrained Flemings, was deterred from attacking Dunwich by the resolute attitude of its citizens, and presently defeated and taken by the king's forces at Fornham St. Genevieve. But in July, A. D. 1174, the bishop of Winchester¹ appeared in person at Bonneville-sur-Tonque to warn Henry that only his own presence could retrieve England, where a Scotch army was pouring in from the north, while David of Huntingdon headed an army in the midland counties, and the young prince was preparing to bring over fresh forces from Gravelines. Henry crossed the channel in a storm, and, by advice of a Norman bishop, proceeded at once to do penance at Becket's shrine. On the day of his humiliation, the Scotch king, William the Lion, was surprised at Alnwick and captured. This, in fact, ended the war, for David of Huntingdon was forced to return into Scotland, where the old feud of Gael and

¹ So many messengers had already gone over, that the Normans the tower of London. Diceto ; Twysden, 576.
said the next envoy sent would be

Saxon had broken out. The English rebels purchased peace by a prompt submission. In less than a month Henry was able to leave England to itself, but, with characteristic diplomacy, he preferred first to execute his will, and assigned 150,000 marks to pious purposes.¹ He then sailed for Normandy, where the citizens of Rouen had gallantly beaten off the whole French army, during a siege of three weeks, in the hope of speedy relief. In spite of his pious abhorrence of treachery in others, Louis was well inclined to gain by fraud what he could not win by arms: he proposed an armistice in honour of St. Lawrence, and prepared, under cover of this, to storm the city. Some clergy, who had mounted the cathedral belfry, perceived the treacherous attempt; the alarm bell was rung, and the citizens, swarming to the walls, repulsed the enemy. Next day the English army appeared. A body of Welshmen stole through the woods, and intercepted the provisions of the French, who were forced to break up the siege.

The confederates were now weary of war, and agreed to an armistice. Richard alone tried to hold out, but his castles were speedily reduced. Before long peace was arranged (September 29, A. D. 1174). The conquests on both sides were restored. The young king received two castles in Normandy, with an income of fifteen thousand Angevine pounds; Richard two castles in Poitou, with half the revenues of the earldom; and Geoffrey two castles in Brittany, with half the rents that earl Conan had enjoyed: the rest were to be paid him on his marriage with Constance, the heiress of the

¹ 60,000 to the Crusade, 40,000 for the religious orders, lepers, widows, &c., and 50,000 in loans remitted to abbeyes. "But because he

lived longer, it is not known now if he carried out the execution of the said testament." Chron. Mon. de Melsa, p. 206.

duchy. The three sons did homage: the two younger by agreement; the eldest at his own demand, that he might have some better security than his father's love. Henry II. released his captives, 969 knights in all—a signal proof of his success, and of the extent of the insurrection. But he sent commissioners within two years through the length and breadth of England, and seized all the castles of earls and barons into his own hands, not sparing even the justiciary, Richard de Luci.¹ The king of Scotland was still captive in Falaise. By advice of a deputation of Scotch prelates and barons he at last consented to swear fealty to Henry as his liege lord, and to do provisional homage for his son. His chief vassals guaranteed this engagement; hostages were given; and English garrisons received into three Scotch towns, Roxburgh, Berwick, and Edinburgh.² Next year the treaty was solemnly ratified at York. The only person who did not benefit by the peace was Eleanor. She expiated the double offence of adultery and disloyalty by a long imprisonment of twelve years, which even the intercession of her eldest son on his death-bed did not mitigate.³ Henry now no longer disguised his connection with Rosamond Clifford, whose early death has made her a heroine of romance.⁴

¹ Benedictus Abbas, vol. i. p. 152.

² Two others, Stirling and Jedburgh, were stipulated for but apparently not claimed.

³ She was released (A.D. 1186) at the intercession of Baldwin, archbishop of Canterbury. Probably a visit of her son-in-law, the duke of Saxony, to the English court, had something to do with it. Gervase; Twysden, 1476. But she was imprisoned again before Henry's death.

⁴ The story that Rosamond was

the mother of Geoffrey, bishop of Lincoln, and archbishop of York, is highly improbable. He was born at least as early as A. D. 1155 (Ang. Sac., vol. ii. p. 378), and was chancellor in 1182 (Testamenta Vetusta, vol. i. p. 2); whereas Giraldus, who refers the connection with Rosamond to this date, calls her puella (De Inst. Princ., p. 91), and Brompton says that she died early. X Scriptores, c. 1151. Walter de Mapes says that Geoffrey's mother was named Ykenai,

But the causes of discord between Henry and his sons were too deep-seated to be removed by any peace. Every one except the king of England had an interest in the unnatural strife. In A. D. 1180, Philip Augustus ascended the throne of France, and carried on his father's anti-English policy with infinitely greater ability. Times were changed for France, since a duke of Normandy had intimidated the whole kingdom. The French knights had learned their own strength in the crusade, and felt pride in the national name, which was so gloriously known in the East.¹ This feeling of nationality did not, of course, extend to the English provinces. But Brittany was like the Scotch Highlands of even later centuries, and swarmed with barbarous clans, who were always ready for war. More civilized, but equally martial, the knights of Aquitaine and Guienne esteemed their dependence on England in proportion as it was nominal, and entered the energetic protest of constant revolts against the very shadow of peace and a strong government. Bertrand de Born, troubadour and knight, was the intimate friend of the young king, and, to some extent, of all the family.

and was a woman of the worst character. He also places Geoffrey's birth at the beginning of the reign. De Nugis Curialibus, p. 228. Still less can Rosamond have been the mother of William de Longespee, who died A. D. 1226, aged seventy-three. The story of the labyrinth was known to Brompton. In the French Chronicle of London (p. 3), Rosamond's death by the poison of toads is ascribed to Eleanor, queen of Henry III., to account for the hatred borne her by the London populace.

¹ The altered relations of Nor-

mandy and France were ascribed by Ranulf de Glanville to two causes: first, that the Normans had come into France at a time when the country was weakened by the loss of two great battles; secondly, that since the dukes of Normandy had become kings of England, they had destroyed the local liberties of their native province. The first cause could hardly have operated for two hundred and odd years. The second is a real one, but ought to have been balanced by the additional resources of England. Girald. Camb., de Inst. Princ., pp. 114, 115.

nimated by the conviction that his country's liberties could only be preserved by a balance of constant war between France and England, Bertrand devoted his bitter pen and sharp sword to the unholy struggle. The three elder sons of Henry possessed every quality dangerous to the peace of the kingdom. All loved war for its own sake. Prince Henry¹ enjoyed the highest personal popularity; he was liberal, affable in conversation, and ready to forgive. Landless and treasureless as he was, a splendid retinue of knights attached themselves to his fortunes, and so great was the promise of his talent, that, if he had lived, says one who knew him, "he would have re-fashioned the monarchy of the world." The prediction is of doubtful value; Henry's character was wayward and uncertain. Richard was the less loved, but the better soldier of the two. The restless love of adventure engaged him, as governor of a province, in perpetual feuds; a harsh love of justice made him pitiless in repressing disorder; and passion constantly hurried him into excess. Geoffrey was a diplomatist by nature; overflowing with oily words, rankling with bitter thoughts, and always on the watch to overreach, or escape overreaching. We know that their father loved Henry, Richard, and even the worthless John, his youngest born; Geoffrey seems to have conciliated no tenderness, and died leaving no friends.²

¹ He is commonly called "the young king," or Henry III., in the chronicles. I avoid these titles as likely to lead to confusion.

² Girald. Camb., de Inst. Princ., pp. 29, 31, 32, 35, 36, 104, 105. Giraldus was bitterly hostile to the old king, but his narrative generally

has strong internal marks of truthfulness. His expression that Geoffrey was at the bottom of all the mischief that went on, is remarkable. The rumour, after prince Henry's death, that miracles were performed at his tomb, is some proof of his popularity. Newburgh, vol. i. p. 233.

Richard's fame as a matchless knight, against whom no castle was safe, and his expeditions into Biscay and Navarre, aroused the jealousy of his elder brother. Prince Henry foresaw that the almost independent earl was establishing a new kingdom in Aquitaine, and would never subside into a subject. The alarm was reasonable, and the old king called upon his second and third son to renew their homage to the heir-apparent. Geoffrey was willing, but Richard resolutely refused. He came, he said, of as good blood as his brother, and had no occasion to do homage for his mother's estates. Geoffrey was sent into the south to mediate (A. D. 1183), and presently found himself at the head of a league of Aquitanian barons, who gladly embraced an occasion of revolt against Richard's stern rule. Prince Henry sent his wife to the French court, and joined his forces to Geoffrey's. The king could not remain spectator of a civil war between his sons. He marched an army into the south, and found that authority had deserted him; he could only interfere as a partizan. He elected in favour of Richard, who was hard pressed, and besieged Geoffrey in Limoges. In his anxiety to spare bloodshed, the king entered the town under a flag of truce; the archers of the garrison violated it, and Henry narrowly escaped being shot down in the market-place, while he parleyed with his son. "My son," he said, with tears, "tell me if such a father as I am deserved this of thee." The crime was perhaps not Geoffrey's. The men of Aquitaine had taken up the quarrel so fiercely that they ill-treated or murdered the envoys who came to treat of peace. Geoffrey is not innocent of these outrages, which he at least witnessed; but there is no proof that he intended

arricide.¹ Prince Henry wavered for a time between the two camps, but finally returned to the rebels, and was excommunicated in consequence by the Norman bishops. He then collected an army, and advanced, plundering churches and villages as he went, to relieve Limoges. A sudden attack of fever prostrated him at Chateau-Martel, in the neighbourhood. Feeling the approach of death, he became penitent, laid himself on a bed of ashes, and sent imploring the king to visit him. Henry dared not comply for fear of treachery, but sent his ring in token of forgiveness. The prince died without sight of his father. His death seemed the judgment of God upon the war. Limoges was taken by assault. Geoffrey made his peace, and died three years afterwards (August, A. D. 1186) of a fever like his brother's, while he was intriguing anew with the French court.² Bertrand de Born was pursued to his castle of Hautefort, and forced to surrender. He was brought before Henry, who jested with him on his defeat. Bertrand excused it by saying that he had lost his senses on the day of his young master's death. The remembrance of his loss overwhelmed Henry, and he fainted away. On recovering, he pardoned Bertrand his rebellion in consideration of the love he had borne the prince. Dante was less merciful to the man who sowed discord between father and son. He has plunged Bertrand in the ninth circle of Hell, the head severed from the trunk, and both animate.³

¹ Hoveden; Savile, p. 324.

² "Eodem quo et frater antea morbo, sc. febrili, calore lethaliter correptus." Girald. Camb., de Inst. Princ., p. 34. "Adversâ valetudine pressus." Gervase; X Scriptores, c.

1480. Another account says that he was killed in a tournament. Hemingburgh, vol. i. p. 121; note by Mr. Hamilton. Martin, Histoire de France, tom. ii. pp. 523, 524.

³ Inferno, canto xxviii. l. 194. I

Henry's quarrel with his sons sickened him of statecraft; he renounced the plans of his life for fear their success should benefit his heirs. In two quarrels between France and Flanders (A. D. 1182-1184) he interposed as mediator, instead of supporting the count against the king. He left Auvergne to be reduced by a French army (A. D. 1185). He even proposed to divorce Eleanor, marry the princess Alix of France and endow his offspring by her with England and Normandy, bequeathing Poitou and Anjou to his youngest son. Philip communicated this project to Richard, who never forgave it. It was probably his discontent, and the danger of his defection, that forced Henry to demand a two years' truce at the price of giving up his only remaining fortress in Berri, which Philip had invaded, A. D. 1187. The French king would have preferred to push his advantages, but was restrained by public opinion. All Christendom was panic-struck at the news that Jerusalem was likely to fall again into the hands of the Infidel. Philip consented at Gisors to a three years' truce, during which the territories of either king were placed under the Church's guard. Henry and Philip followed Richard's example, and took the cross. Henry, it was said, never meant to perform his vow, and only regarded it as a diplomatic formality. For some inexplicable reason, men thought from jealousy, he hindered instead of expediting his dangerous son's departure. Meanwhile, Jerusalem was lost, and matters reverted to their old uncertainty. The war recommenced in Berri, around Chateau-Roux, and Henry and Richard

cannot doubt that the reading, "*al giovan re*," the title given to prince Henry, is to be preferred to that of "*al re Giovanni*." John was not a

king when he rebelled, and his friendship with Bertrand de Born was not famous.

were now superior in the field (June, A. D. 1188.) Philip at last demanded a conference, and proposed that the princess Alix should be restored and married to Richard, who should be acknowledged as heir-apparent. The demand was not unreasonable; the princess had been confided to Henry as the future bride of his son; and the terrible rumour that Henry had seduced her required disproof by some official act. Unhappily, the story was true. The king of England refused to give up his ward, or acknowledge his son's title. Richard's suppressed wrath now flamed out. He instantly transferred his homage to Philip, and was accepted as his liegeman. The two best soldiers of their day soon overmatched the king of England. Le Mans, the town he loved best, was accidentally burned by his own soldiers; Tours was taken from him; and he was shut up in Azai. His petition for peace was answered by a demand of absolute submission. The words which had been so often heard in his old quarrel with Becket, "saving my honour and the dignity of my realm," were peremptorily struck out of the treaty. He submitted to pay Philip an indemnity of twenty thousand marks, to give up the princess Alix, and to acknowledge Richard as his heir. At his own request, a list of the barons who had joined Richard against his father was given in. The first name that met his eye was that of the only son whom he still loved and trusted, earl John. He fell back in his bed, and turned his face to the wall. "Let things henceforth go as they will; I renounce myself and the world." A few days' fever carried him off. He had once caused a picture of four eaglets rending an eagle to be painted on a panel of a chamber at Winchester. The prediction was now literally fulfilled.

Henry II. had the features of his mother's family. He was a middle-sized, square man, with a large round head, light hair, leonine features, a sanguine complexion, and grey blood-shot eyes. "A man," says one who knew him, "whom a soldier loved to look at."¹ The body seemed made for strength, yet he stooped slightly and grew fat and gouty as he aged, in spite of moderate diet and frequent exercise. His courage as a soldier was balanced by his timidity as a general. He was skilful in all courtesy, lettered up to the requirements of his time, and acquainted, it is said, with every language between the English Channel and the Jordan, though seemingly ignorant of English, and habitually employing French and Latin.² His regard for human life was greater than seemed princely in those days, and he was said to regret the dead more than he loved the living. A liberal man in public, even to a proverb, he was accused of stinginess in his own household;³ and his craft as a diplomatist was perpetually undone by the fits of passion which he was powerless to restrain. The seeming inconsistencies of his character are completed by the fact, that the deadly enemy of Becket constantly employed ecclesiastics in preference to laymen about his person. These contrasts are explained by the one fact, that Henry, able and energetic, was wanting in steady principle and character. No man more

¹ Mapes, *de Nugis Curialium*, p. 127.

² Mapes, *de Nugis Curialium*, p. 227. Peter of Blois rates Henry's book learning very high, and says that he loved to discuss learned questions with his clerks. *Epist.* 66, *ad Abp. Panormitanum*, *apud Carusium*, vol. i. p. 494. I infer Henry's

ignorance of English—at least, as spoken, from the story told in Giraldus (*Itin. Camb.*, lib. i. c. 6,) of his colloquy with a peasant, when he employs a knight to translate for him.

³ Mapes, *de Nugis Curialium*, p. 196. *Gir. Camb.*, *de Inst. Princ.*, p. 71.

thoroughly regarded life as a game in which the only stake was success. To bribe God into helping him, and to shuffle oaths like counters, without incurring the direct charge of fraud, were Henry's moral principles. Slender as they were, he did not always adhere to them; his passion constantly mastered his superstition, and in one critical moment of his life he disgusted Louis, who had for once sided with him against Becket, by a wanton breach of faith, that he might punish his revolted subjects in Brittany and Poitou.¹ Out of mere anger against his son, he allowed the power of the French crown to increase, and prepared the way for the loss of Guienne and Normandy. His adulteries were flagrant, and carried on when his hair was grey, and he over sixty. Even the strong justice he administered was not without reproach, and it often degenerated into barbarity. His subjects said that he enforced the rights of his crown unequally; that he renewed the Danegeld and strengthened the forest laws; that he plundered orphans of their heritage; that he left his soldiers unpaid; and that his justiciaries were corrupt.² The great Ranulf de Glanville has been accused of condemning an innocent man to death, that his deputy sheriff might marry the widow; and Henry, although he remitted the capital sentence, kept the victim of oppression in prison.³ It is difficult, therefore, to agree with Hume, that Henry's "character, in private as well as in public life,

¹ After the conference of Montmirail. Herbert de Bosham, Vita Becket., p. 277.

² Radulfus Niger, pp. 167, 168. Girald. Camb., de Inst. Princ., p. 43.

³ Hoveden; Savile, p. 355. The charge against Glanville is one-sided but derives some probability

from the language of Richard of Devizes (p. 7), who calls him "vir Stephano (sc. of Tours) non inferior nisi moribus," &c. Mapes praises the justice done in his court, but ascribes it to the king's supervision. De Nugis Curialium, p. 241.

is almost without a blemish." But it had redeeming points. A pleasant companion and a staunch friend, he seldom hated those whom he had once loved, and if his anger, once provoked, was implacable, he was yet capable of singular mercy to the conquered. In the great quarrel between Church and State, he saw the right side, and fought it out, through much violence and many failures, to a successful end. He reformed the organization of justice, and substituted the *grand assize* for the duel. The prestige of the English name increased under him. Above all, the country enjoyed a long season of quiet within its borders, and its wealth was reputed inestimable.¹ The distinction of Norman and Englishman was beginning to disappear, and Henry did nothing to perpetuate it. In a few years after his death the country began to be studded with free towns.

¹ *Dialogus de Scaccario*, lib. ii c. 7.

CHAPTER XXXII.

RICHARD CŒUR DE LION.

RICHARD'S ACCESSION. MASSACRES OF THE JEWS. PREPARATIONS FOR THE CRUSADE. SICILY. CYPRUS. PALESTINE. REGENCY OF LONGCHAMP. QUARREL WITH THE ARCHBISHOP OF YORK. LONGCHAMP BESIEGED IN THE TOWER, AND EXPELLED FROM POWER. RICHARD'S RETURN, AND TREACHEROUS CAPTURE IN GERMANY. CONDUCT OF EARL JOHN. RICHARD'S HOMAGE TO THE EMPEROR AND RANSOM. LAST YEARS OF THE REIGN. RICHARD'S DEATH. WILLIAM FITZ-OSBERT. CHARACTER OF RICHARD I.

WHEN Richard met the procession that was bearing the royal bier to the abbey of Fontevraud, it is said that blood gushed from the mouth and nose of the corpse.¹ Horror-struck at the sight, and guiltily conscious of a share in his father's death, the new king showed his penitence by at first retaining in place, or promoting, the old servants of the crown. One exception was made against Stephen of Tours, seneschal of Anjou. It was part of his crime that he was low-born. Richard threw him into prison, took away the noble wife of his son, and married her, in defiance of all canons, to a man of her own rank. Generally the new king seemed anxious to conciliate public opinion. He promised to confirm John in the possession of his

¹ Brompton says (X Scriptores, c. 1151) that he was laid out, crowned and sceptred, and with his head un-

covered. The account of John of Oxenides (p. 64) is simpler,

English estates, and gave his half-brother Geoffrey, the archbishopric of York instead of the chancellorship. Queen Eleanor was released from the prison to which she had been again consigned, and travelled over England, proclaiming acts of grace, and receiving oaths of fealty. There was a general gaol-delivery, by which offenders against the forest laws were pardoned, while persons confined on criminal charges and civil debtors were let out under bail for their re-appearance.¹ All whom Henry II. had disinherited were to be restored to their former rights. In August, A. D. 1189, Richard landed; took the usual oaths to preserve the liberties of Church and State, and was crowned sumptuously. Unhappily his presence inflamed the crusading spirit, which was already fierce in the nation. Although debarred from civil rights, the Jews of England had hitherto multiplied and grown rich: aliens and infidels as they were, they had high and low in their power. Strongbow was one probably out of many nobles who had been bound to them, and their claim over St. Edmund's monastery was at one time so strong that they lived with their wives and families within its walls.² All the more were men generally anxious to revenge themselves on a race which they hated and feared. Some Jews who pressed in to see the king's coronation were driven back with blows. A riot ensued, and the Jews' quarter was plundered. A day elapsed before the king's troops could restore order, and then only three rioters were punished, for damage done to Christians. Thus encouraged, or allowed, the frenzy of persecution spread over the land. Generally it was the country people who were setting out as pilgrims for

¹ See p. 573, note 2.

² Newburgh, vol. i. p. 161. For the case of Richard of Anesty, see

Palgrave's Eng. Com., pp. xxiv. xxvii. Chron. Joc. de Brak., p. 6.

Palestine, who began the crusade at home, while the cities interposed to preserve the king's peace.¹ But the rumour that the unbelievers were accustomed to crucify a Christian boy at Easter had hardened men's hearts against them. The cause of murder and rapine prevailed in Dunstable, Stamford, and Lincoln. At York, the viscount allowed five hundred Jews to take refuge in the castle. Fearing, in spite of this, to be given up, they closed the gates against the king's officers. They were now besieged by the townsmen, under orders of the viscount, and the defence of men untrained to arms and without artillery lay only in the strength of the walls. They offered to ransom their lives, but the crowd thirsted for blood. Then a rabbi rose up and addressed his countrymen. "Men of Israel, hear my words: it is better for us to die for our law, than to fall into the hands of those who hate it; and our law prescribes this." Then every man slew his wife and children, and hurled the corpses over the battlements. The survivors shut themselves up with their treasures in the royal chamber, and set fire to it. The crowd indemnified themselves by sacking the Jews' quarter, and burning the schedules of their debts, which were kept for safety in the cathedral. But this was an offence against the exchequer, to which, by the theory of the law, all Jewish property belonged. Royal officers were therefore sent down to York, and the town called to account for its disorders; a fine was levied, but the murderers escaped punishment.²

The chivalrous part of Richard's reign is in itself

¹ "Ubique reperti sunt Judæi manibus peregrinantium percussi sunt, nisi qui municipalium eruebantur auxilio." *Diceto*; X *Scriptores*, c. 651.

² Benedict and Joss, two of the Jews at York, had built houses like royal palaces in the city, and lived there like "tyrants over the Christians." *Newburgh*, vol. ii. p. 19.

of little importance for English history. But its indirect results changed the face of the country. Among them, the purchase of charters by the municipalities may be classed in the first order. Richard once said that he would sell London itself, if he could find a purchaser. The sheriffs and their officers were removed throughout the kingdom that their places might be sold. If it be true that the great justiciary, Glanville, was imprisoned, and forced to ransom himself for three thousand pounds, the act may be regarded as one of extortion rather than of justice; for Glanville's offences under Henry were condoned by his continued employment under Richard.¹ This indignity did not prevent the aged legist from joining the crusade, and he was among its victims. The chancellorship of the kingdom was sold for three thousand marks to William Longchamp, bishop of Ely, a Frenchman risen from the ranks,² whom Richard trusted. The regency of the kingdom during Richard's absence was vested in a council, over which the chancellor presided. Provision thus made for his absence, the king started for Palestine. It was noteworthy that his troops were conveyed in English bottoms, while Philip Augustus was compelled to hire ships from the Genoese.³ From the very first it seemed doubtful how long the two sovereigns would remain allied. The first difficulty which Richard raised may be excused, as common decency forbade him to marry

¹ Ric. Div., p. 7. William of Newbury, however, states that he gave up his office, disgusted by Richard's government. Vol. ii. p. 9. He had been employed to see justice done for the massacre of the Jews in London. Brompton; X Scriptores, c. 1160. It is possible that although the justiciary was removable by a new king, his authority did not ne-

cessarily cease with the life of the sovereign from whom it was derived. Palgrave's Rot. Cur., vol. i. p. xl.

² His father had been a runaway slave from Beauvais into Normandy. Ang. Sac., vol. i. p. 404.

³ Richard was even able to lend ships to the French king. Hoveden; Savile, p. 392.

the princess Alix, whom his father had seduced. But quarrels followed Richard everywhere through life, and if he was not always unprovoked, he was certainly no peace-maker. Already on his way to Messina he had almost lost his life in a brawl with Neapolitan peasants, one of whom refused to surrender a falcon that the king coveted.¹ The relations of the crusaders with the populations through which they passed were naturally difficult, and the citizens of Messina complained that the English swaggered insolently through their streets, and intrigued with their wives and daughters.² The English pleaded that they were loaded with coarse insults, that prices were raised upon them, and that stragglers from their quarters were privily murdered. Both accounts are probably true, and the theory that Richard precipitated a fray to secure a liberal dowry for his sister the queen dowager of Sicily, is scarcely needed to explain what ensued. Messina was stormed by the two kings, Philip finally bringing up troops, though the English believed that he had at first meditated attacking them, and a part of the city was burned.³ Tancred, then sovereign of Sicily, contrived to pacify his terrible guest with forty thousand ounces of gold, and Richard set sail for Palestine. (April 10, 1191). At Cyprus he found that the so-called emperor, Isaac Comnenus, had put the shipwrecked sailors under guard, disarmed them, and intercepted the supplies sent them from the ships. The men, fearing worse treatment, had fought their way back to the fleet, and had barely escaped a massacre. Richard demanded instant compensation, and when a

¹ Hoveden; Savile, p. 394.

² "Dum licentiosius Angli per urbem lascivirent." Fazellus de Rebus Siculis, Decade ii. lib. ii. c. 6. "Zelo quoque ducebantur super ux-

oribus suis," &c. Itin. Reg. Ricard., lib. ii. c. 14.

³ "Partem civitatis igne cremarunt." Ric. de S. German., Chron. apud Carusium, vol. ii. p. 548.

haughty refusal was returned, stormed Limasol, overran the island, and in fifteen days made the emperor his prisoner. With the foresight of a true soldier, he decided to make Cyprus his base for the campaign in Palestine, and left two commissioners behind, who were to forward supplies, while the splendid spoils of the island were dedicated to the holy war. The natives, however, were allowed, on payment of half their revenues, to retain their old customs under justiciaries and sheriffs of the English model.

The voyage from Cyprus to Acre was illustrated by a brilliant episode. A huge Turkish galley, manned with eight hundred men, and laden with munitions of war, was intercepted near Beyrout. The king first attempted to capture it, and his divers succeeded in entangling the rudder with ropes, till the English boarded; but the fierce valour of the Turks swept the decks in a final charge. Then the English ships, rowing hard against the tall galliot, drove in its sides with their iron beaks, and the vessel settled slowly down in the sea. Its loss was of much moment for the beleaguered garrison, before which Richard now took up his place.

The siege of Acre, like that of Troy, was a trial of strength between East and West; and the West conquered. Three months after Richard's arrival, the town, which had held out two years, capitulated. The prestige of the victory was great, but it broke up the Christian army. Philip had now a good excuse for returning to his dominions. His departure left Richard in supreme command, and Richard, adored by the common soldiers for his valour, was detested by all the princes for his violence. He had torn down the flag of Austria from the gate of Acre, where duke Leopold

had planted it.¹ Presently the death of Conrad of Montferrat by an assassin was ascribed to the English king, who had opposed his pretensions to the throne of Jerusalem. The charge was false, but Richard's character gave a colour to it. Gradually his army melted away. His personal prowess was great, and he was willing to risk death at any moment to save a comrade. Long after he had left Palestine, the Syrian women frightened their children with the name of king Richard. But one right hand could not win Jerusalem, and Richard had not the higher qualities of a general. He could order a battle, or direct a march, but not arrange a campaign. His most brilliant exploit was the battle of Arsouf, and it illustrates the strength and weakness of the crusaders. Without an efficient infantry, with only a few horsemen, their army was yet stronger than the Saracens in the plains, where the steel-clad knights could act freely, and where arrows rained like hail from the English archers on the dense masses of the enemy. Richard's tactics, accordingly, were to fight only on open ground; but he could not constrain obedience from the fiery Hospitallers, who answered every feint as a personal challenge. The battle was engaged in gardens and near a forest; only Richard's prowess, as he headed fierce charges along the line, saved the Christians from destruction, and the Moslem army escaped into the wood.² When at last, a year later (A. D.

¹ Diplomatically Richard was justified, as the duke was not a sovereign prince. Richard of Devizes says (p. 52) that he left the camp at once, full of rancour against Richard. William of Newbury represents him as remaining and receiving liberal pay from the king of England. Vol. ii. p. 70. This latter seems to

be the true story. Peter of Blois says, "*impie Facem cum rege finxerat, Dum ei rex improperat quod fugerat, Relictâ crucis acie.*" Vol. iv. p. 344.

² For a good estimate of Richard as a general, see an article on *Mediæval Warfare* in the *Cornhill Magazine* of December, 1866.

1192), the king cut his way through overwhelming forces towards Jerusalem, he halted suddenly within a few leagues of the Holy City, and dared not commence its siege. A few weeks wasted in chivalrous skirmishes and secret negotiations made up the campaign. Then the army withdrew sullenly to the sea-shores, unblest by a sight of the city they had come to conquer. That Richard was right in thinking his forces too small for the enterprise is in the highest degree probable; but a campaign which could not be carried out should never have been begun. Presently the king and Saladin concluded a truce for three years and eight months. It was agreed that the Christians should keep possession of the littoral, and that their pilgrims should be allowed to visit Jerusalem. Richard himself did not profit by the permission; perhaps his heart was too full at the thought of how much had been ventured, and how little won. But the bishop of Salisbury went in his place, and was received with distinction by Saladin.

Richard's anxiety to return was caused as much by news from England as by any disgust with the crusade. Between an oppressive chancellor and a treacherous brother, the whole kingdom was in disorder. Longchamp had inaugurated his government by imprisoning his colleague, Pudsey, bishop of Durham and chief justiciary of the north. The bishop of Ely was now papal legate, chief justiciary of the kingdom, chancellor, and president of the council of regency. He abused his powers unblushingly; had he continued in office, it was said, he would have taken his ring from the knight, his silver-studded belt from the man-at-arms, her bracelets from the woman, and his precious stones from the Jew. He travelled with an escort of one thousand horse, sealed public documents with his own seal, and mar-

ed the crown-wards to his low-born relations. He wasted the church estates of York, in the absence of the archbishop, by wholesale dilapidations. He tried to corrupt public opinion by hiring minstrels to sing his praises about the streets. Yet it is probable that in some cases he excited hatred only by the faithful discharge of his duty. He surrounded the Tower with a ditch, and put the canons of York under interdict till they acknowledged his legatine powers. He steadily opposed the intrigues of John,¹ who aimed from the first at securing himself the succession,² and employed the vast income assigned him against the giver. The first intelligence of the revolt against Longchamp's government reached Richard in Sicily. He is said to have appointed a commission of inquiry. It is more certain that he confirmed Longchamp in his post. But when it was known that the king was in Palestine, an insurrection broke out, headed by earl John. The ostensible object was to confirm Gerard de Camville in the shrievalty of Lincolnshire, which he claimed on doubtful grounds, or at least which Longchamp disputed. The barons would not take part against the crown, or with the chancellor. A compromise was made, by which matters affecting tenants-in-chief were to be decided by the king's court. The castles that had been taken were consigned to a commission in trust for the king, and the barons swore fealty to John,

¹ Girald. Camb. says (*De Rebus a se gestis*, lib. ii. c. 24) that John promised his brother before he left England not to enter England for three years.

² There seems to have been a general belief in England that Richard would never return from the

crusade. His health had been seriously affected by the hardships of war and excessive exercise in arms. He was pale and bloated, and boils had broken out over his body, just before he left England. Newburgh, vol. ii. p. 12.

as presumptive heir to the crown, disregarding the claims of Arthur, Geoffrey's son, whom Richard had designated as his successor.

Before long the opportunity for another breach with the chancellor presented itself. Geoffrey Plantagenet, archbishop of York, had been ordered by his brother to remain out of England. There was good reason for this: Geoffrey's quarrels with the king had extended over several years, and his fidelity might well be doubted. At the instigation of John, the primate of the north now resolved to violate the royal command, and return. The whole council were opposed to this audacious outrage on all authority, and Longchamp ordered the sheriff of Kent to arrest the offender. The order was clumsily executed by the governor of Dover:¹ Geoffrey was dragged through the streets in his priestly vestments, and kept without food till his captors began to be apprehensive of consequences. Advantage was now taken of the late compact to summon Longchamp before the king's court. Bishops and barons flocked to the council at Loddon-bridge,² which John summoned by special writs. Longchamp tried to secure himself against the decision he foresaw by falling back upon London. But he entered it fresh from a defeat by John's forces, and found only enemies among the citizens. At the instigation of Geoffrey, they rose up in arms, and blockaded him in the Tower. The council adjourned to London, and the citizens, or their governing aristocracy, attended the 'sittings (Oct. 9, A. D. 1191). The archbishop of Rouen produced a docu-

¹ Matthew of Clare, governor of Dover, was nephew or brother-in-law to Longchamp. Ang. Sac., vol.

ii. p. 391. Newburgh, vol. ii. p. 48.
² Between Reading and Windsor.

ment, subscribed with Richard's name, and dated from Messina, which appointed that prelate to replace the chancellor if he governed badly. Fear had hitherto prevented the archbishop from disclosing his instructions. It is doubtful whether they were genuine or forged. By the legal principles of the day, Longchamp's counter-plea of oral credentials from the king ought to have outweighed any document. But the time that elapsed before this mandate was produced, and the readiness which the council displayed to purchase Longchamp's ratification of their proceedings, looks very much as if there were some flaw in their case.¹ To his honour, he refused to retain his bishopric, and the custody of three royal castles, at the price of acquiescing in John's proceedings. "I am ready to answer every charge you bring against me: I can account to the last farthing for every sum I have expended. I will resign no trust that has been committed to me by the king. But you are stronger than I am; and, chancellor and justiciary, I yield to force."² He gave up the keys of the Tower, where the provisions were failing, and the garrison mutinous, and promised not to leave the kingdom till he had resigned his other fortresses. But in eight days he escaped to Dover, intending to cross the channel. There was some delay in the ship's sailing, and the chancellor, fearing to be

¹ To this may be added the testimony of the pope, reported by Walter of Rouen's ambassadors: "*Scimus quia dominus rex nulli unquam mortalium tantam dilectionem exhibuit vel honorem impendit, quantum domino Eliensi.*" Hoveden; Savile, p. 409.

² This dramatic speech is said to

have been delivered from a window of the Tower. Ric. Div., p. 41. The charges of peculation against Longchamp are, I think, "not proven." He served a master who was always in want of money, and ready at any moment to disavow an unpopular act of his ministers.

recognized and stopped, disguised himself in the green silk dress of a woman, and sat with a basket on the strand. His ignorance of the English language betrayed him. A sailor, angry at getting no answer to his questions, lifted up the lady's veil, and saw a black beard. Longchamp was dragged and hustled till his life was in danger, and finally imprisoned. At the intercession of his brother bishops, who dreaded the scandal to the Church, he obtained a passport from John, at the price of fulfilling the treaty. Once in safety on the continent, he obtained permission from the pope to excommunicate all his enemies except the prince. The thunders of the Church rolled harmlessly over the heads of the English bishops and barons. Rome itself was powerless against public opinion. Longchamp now set himself to buy back his office of justiciary from the queen-dowager and John. John shamelessly espoused the cause of the man he had exiled, and warned the council that Longchamp had offered him seven hundred pounds. "I am in want of money: 'a word to the wise is enough.'" The barons took the hint, and lent the earl five hundred pounds out of the treasury. John reduced his claims in favour of principle, and sent Longchamp, who had returned to Dover, out of the realm.¹ The earl had other plans in view. Philip had lately offered him the hand of a French princess, and England and Normandy, if he would surrender the town of Gisors and the counties of Aumale and Eu. But queen Eleanor interfered in behalf of her absent son. The council threatened to confiscate all the earl's goods, and the oath of allegiance to Richard was taken anew through the kingdom. The queen-dowager even assisted the justiciary in the administration of justice.

¹ Hoveden ; Savile, p. 409.

Critical as the position was, it appeared even worse in the letters of Longchamp to his master. The chancellor declared that John was exacting conditional oaths of homage to himself, was seizing castles into his hands, and controlling the taxes. Later despatches from the vice-chancellor, John of Alençon, added that the king of France was intriguing to provoke a rebellion.¹ Unluckily, Richard's journey home was beset with difficulties. France was notoriously hostile, and the emperor was offended at the English king's alliance with Tancred of Sicily. The guilt of Conrad's murder was universally ascribed to him, and he was thus outlawed by the public feeling of Europe. Accident decided his course. A storm drove him on the coast of Istria, between Aquileia and Venice. After some danger of detection on the way, he arrived, with only a knight and a page, at Erperg, near Vienna. The foreign money which the boy tendered in the market excited suspicion, at a time when to be a stranger was dangerous, and when rumours of Richard's presence in the duchy had alarmed curiosity.² The house in which the king lodged was surrounded, and he found himself a prisoner in the hands of Leopold of Austria, whose banners he had insulted, and whose brother-in-law, Comnenus, he had despoiled (December 21, A. D. 1192). A generous man would not have remembered these injuries against a stranger cast on his shores: Leopold's pride had stooped to serve and receive pay from the king, but it

¹ Itin. Reg. Ric., lib. v. caps. 22, 42. I infer that the oaths of fidelity and subjection were conditional, as Longchamp evidently implies that John and his party were not yet prepared to make war.

² Hoveden says he was betrayed

by spending money much more freely than the people of the country were accustomed to do. Savile, p. 409. Oxenides says (p. 80) that his gloves, which the page carried at his belt, attracted the attention of the magistrates.

could not omit an opportunity of revenge. As a crusader, Richard was under the protection of the Church. But if he was guilty of Conrad's murder, he had forfeited that protection.

When the news of Richard's captivity was known to the emperor Henry VI., he felt no scruple on the question of honour involved, but decided that diplomatic etiquette would not allow a duke to keep a king in custody. He accordingly bought Richard for fifty thousand marks from his captor, kept him in honourable but strict custody, and announced the fact of his imprisonment to Philip. The intrigues between Philip and John at once ripened into a league to despoil the injured king. But the barons maintained order in England, and John's garrisons and Welsh mercenaries achieved no higher success than ravaging the country. In Normandy, Philip was foiled before the walls of Rouen by its gallant and loyal people. The very women took arms against the French, and the burghers, throwing open the gates, dared the enemy to enter into the town. In September, A. D. 1193, the German diet assembled at Worms to sit in judgment on the English king. Richard refuted the false charge of assassination by a forged document, professing to come from the sheikh of the assassins, who took the murder upon himself. He propitiated German pride and the emperor by doing formal homage for all his possessions.¹ The act is a curious counterpart to John's humiliation before the pope, but no Englishman ever felt himself degraded by Richard's submission, which entailed no practical consequences, and was only a diplomatic stratagem by a man who had fallen among thieves. Richard's speech

¹ Hoveden ; Savile, p. 412.

in his own defence was so manly and eloquent that the emperor descended from his throne to embrace him. But sentiment did not overpower avarice in the imperial breast. For some time Henry hesitated whether he should not prefer Philip's offers of money and alliance to the claims of honour. At last he agreed to fix Richard's ransom at the monstrous sum of one hundred and fifty thousand marks. The old insult to Austria was to be condoned by a marriage between Leopold's son and Richard's niece Eleanor. The English regency did their best to collect the money demanded. Every layman was taxed at one-fourth of his income; every priest paid from a tenth to a fourth; the Cistercians were forced to contribute the wool of their sheep, and church plate was seized or held to redemption. Nevertheless, winter passed before even the greater part of the sum was gathered in. Richard complained in a song which he composed: "I had no so poor companion, that I would have left him in prison. I do not say it to reproach you, but I am still a prisoner."¹ Nor was he comforted by the empty honour of the royalty of the Arlat and Provence, which Henry conferred upon him. Those provinces were nominally imperial fiefs, but had long since shaken off their dependence on the empire, so that Richard only received a title and the diplomatic right of enforcing it by war. At last the German princes, scandalized at their country's dishonour, persuaded the emperor to accept hostages for the money still due, and release his captive. Richard travelled rapidly, and left Antwerp in time to escape the imperial messengers on their way to arrest him again.

¹ Sismondi's *Literature of the South*, vol. i. c. 4.

Henry's baseness was the most constant part of his character.¹

The king's entry into England was a triumphal procession. The German nobles who had attended him were astonished at the opulence displayed, and regretted that the terms of release had not been higher. But no pageant was more grateful to the people than the return of peace. Of all John's castles, Nottingham alone held out, refusing to believe that the king had returned. Richard instantly marched there, stormed the town, and hanged a number of the prisoners. This was conclusive evidence, and the garrison surrendered. The council then sate in judgment upon John, and declared his honours and estates forfeit. But Richard's thirst for money was not easily quenched. During his captivity, he had issued a writ that no faith should be given to any instrument issued in his name, unless it were to his honour and profit. He now caused a new seal to be made, and declared all grants under the old one null and void. Purchasers who remonstrated were told that they were only entitled to the difference between their advances and the rents they had enjoyed, as interest was forbidden by the canons. Richard's orthodoxy had not been learned for nothing. The proceeds of the lands and offices which were thus resumed and sold again, and the money derived from new taxes, enabled the king in three months to sail for France with a fleet and army. After the loss of his English castles, John had found himself despised and neglected by Philip. He now met his brother, fell at his feet, and was forgiven, but not at first trusted or restored to

¹ Menzel says that "the emperor acted well and nobly." *Hist. of Germany*, c. 153.

his estates. A story, which would be incredible if it were told of any one but John, states that he endeavoured to recover his brother's favour by murdering a number of French knights, the garrison of Evreux whom he had invited to a feast.¹ In the course of a year he received a pension and some of his old estates, but was not trusted with fortresses.

Since the forged letter from the sheik of the assassins had been published, Richard had regained the prestige due to a crusader, while Philip's influence was impaired by the scandalous repudiation of his queen, a Danish princess. Accordingly they fought with doubtful issue for supremacy in France, Richard's prowess as a soldier inclining the scale against his rival's policy. By the treaty called of Issoudun² (A. D. 1195) the English king gave up Gisors on the Epte, Vernon and Gaillon on the Seine, and Pacy on the Eure. The strong position of the Andelys was to be held as neutral dominion by the archbishop of Rouen, and the frontier fortress of Normandy was to be Vaudreuil, only a few hours' march from Rouen. The dauphin of Auvergne, who had joined Richard as an ally, was dishonourably abandoned to Philip's mercy. Richard seems to have made these concessions that he might keep some unimportant conquests in the South. But he soon perceived the danger of a compact which placed the French garrisons within a day's march of Rouen, and displayed his consummate skill as an engineer in fortifying the Andelys, so that an impregnable position prevented the

¹ Armoricus says he beheaded them and put their heads on stakes. Gul. Brito adds that they were 300 in number. Bouquet, vol. xvii. pp. 71, 168.

² Negotiations were begun at Issoudun (Newburgh, vol. ii. p. 170), but the treaty was signed between Gaillon and Vaudreuil. New Rymer, vol. i. part i. p. 66.

junction of combining corps d'armée, and intercepted their base of operations. The archbishop of Rouen excommunicated the king for this breach of public faith; but the Pope, to whom the case was referred, decided that he was excused by political exigencies. Of course, peace under these circumstances was impossible, and Richard, aided by the count of Flanders, and by a party among the French barons, was gaining ground upon his rival, and had defeated him in one or two brilliant skirmishes, when the mediation of the Pope procured a five years' truce, again to England's disadvantage. Richard yielded on this occasion to a secret promise that the Pope would support his nephew Otho for the imperial crown in Germany. It was bartering certainties for what the issue proved to be a doubtful chance. Fortunately for both England and France, which suffered under the long and singularly merciless war, the end came with the death of the less capable sovereign. Richard was wounded by an arrow at the siege of some obscure castle, was unskilfully handled by his surgeon, and died in a few days. It is said he ordered his body to be buried at the feet of his father at Fontevraud. The circumstances of his death are suspicious. One account places the castle in Normandy; another in the Limousin. It is doubtful whether Richard required a treasure-trove, or the knight who found it, to be given up. The name of the archer is variously given. Some accounts say that the archer was tortured to death, or even the whole garrison slain, in spite of Richard's dying injunctions that no revenge should be taken. Others are quite ignorant of these vengeance.¹ These discrepancies, and the fact that prophecies of Richard's

¹ Palgrave's Rot. Cur., pp. lxxiv.-lxxx.

approaching death had floated vaguely among the people before he fell, give a presumption that the tyrant was removed from earth by an assassin. His unscrupulous rival, Philip, who had actually once suborned murderers against him,¹ and his faithless brother John, may share the suspicion which cannot be verified.

Among the remarkable incidents of the reign is one which a poetical theory has lately invested with a romance not its own. A certain William Fitz-Osbert, by profession a civilian, followed the king to the crusades. On his return to England, Fitz-Osbert, a wasteful man, became involved in a quarrel with his brother, who had supported and educated him when young, but now refused to support him in his extravagance. With singular baseness, William crossed over to Normandy, where the king then was, and denounced his brother as a traitor. The charge seems to have been referred to the court at Westminster; it was met on every point with a sworn denial, and was rejected. Fitz-Osbert now took up the trade of a civic patriot, allowed his beard to grow, in sign of sympathy with the lower classes,² and aided them with advice in the law courts. But he was especially great in the folk-motes, or civic assemblies, in denouncing the aristocracy of privileged families who then governed London, and whom he accused of assessing the taxes upon the poor. Once he ventured again to Richard's camp with a general denunciation of all in authority. The king was always ready to receive charges that might

¹ Hoveden; Savile, p. 428. Nich. de Braia makes Louis VIII. accuse John of a similar crime.

"*Patris in exitium nostri letale venenum
Miscuit et vitæ dissolvere fila
paravit.*"

Bouquet, vol. xvii. p. 324.

² Newburgh, vol. ii. p. 178. The story that his family had always kept their beards unshaved, to testify their hatred of Norman rule, is derived from Matthew Paris, a very uncertain authority. See p. 342, note 1.

be a source of profit, and took some measures which provoked the wrath of the justiciary, archbishop Hubert, and emboldened the malcontents. More than fifty thousand Londoners, it is said, probably all the unprivileged, were enrolled by name as Fitz-Osbert's adherents or followers. There was a panic like that which precedes a revolution. The justiciary ordered all the commonalty to keep within the walls, no doubt fearing that a general revolt would be organized. Some who violated these orders, and ventured to Stamford fair, were seized. The city aristocracy were compelled to be day and night under arms for fear of an outbreak. But when the justiciary demanded hostages from the citizens, no one dared to refuse him. Fitz-Osbert's fate was now sealed; he harangued his party in St. Paul's churchyard; but texts from Scripture¹ and democratic invective alike failed to secure co-operation from men who would have risked the lives of their children by a revolt. Nevertheless, the council thought it unsafe to proceed against Fitz-Osbert in the common course of law. He was watched, and attacked suddenly by a party of soldiers and citizens. After a short fight, in which he slew one of his assailants, the demagogue fled, with his mistress and a few friends, to the church of St. Mary-le-Bow, and mounted the tower. Neither the sanctity nor the strength of the edifice availed him. Fire was set to the doors, and Fitz-Osbert, as he tried to rush out, was ripped up by the son of the man he had slain. He had still life left to undergo a short sentence from the justiciary before a court of the civic aristocracy. Their fear had been great, and their re-

¹ Once he took the text, "With joy shall ye drink water out of the wells of salvation" (Isaiah xii. 3), and applied it to himself.

venge was savage. Naked, and tied to a horse's tail, he was dragged along the road to Tyburn, and hanged with nine of his companions. The people honoured him as a saint, flocked, in spite of sentries, to his tomb, and scraped away the earth as a relic. Yet Fitz-Osbert was neither patriot nor saint. He was a worthless man, who was ready to kindle a civil war for the sake of money or revenge. The chief interest of his life lies in the fact that, with the instinct of an agitator, he had discovered a real grievance—the subordination of the citizens to a few families.¹

Scarcely any king has left so little mark on our history as Richard. We know him from the report of friends, for his love of church services and munificence to clergymen² conciliated the class who in those days gave reputations. It seems probable that he was really the first soldier of his times; a good general, though he once let himself be surprised in relieving Joppa, and a good engineer though he failed to reduce Acre, except by a long blockade. It was his misfortune that the most brilliant episode of his military life was wasted in a divided command, where only consummate tact and an iron will could have achieved great results, and where Richard's insane arrogance and wavering purpose were even more fatal to the Christian cause than the statesmanship of Saladin. For a gentleman of the times he was well educated, with some skill as a linguist, and with the science of a troubadour. He was capable, when provoked, of savage cruelty, and in his latter wars with France it was customary on both sides to put out the eyes of the prisoners instead of holding them to ransom;

¹ The incidents of Fitz-Osbert's revolt have been admirably treated by Sir F. Palgrave. *Rot. Cur.*, vol.

i. pp. viii.-xviii.

² Rad. de Coggeshale; Bouquet, vol. xviii. p. 86.

yet he has the credit of relaxing the forest laws, so that poachers were punished henceforth with exile or imprisonment, instead of with mutilation.¹ Passionately fond of war, he was greedy of money that he might subsidize soldiers, and careless how the treasure he needed was gained.² At the time he died his people were weary of heavy taxation and unprofitable campaigns. But it was Richard's great good fortune to be the brother of John and the uncle of Henry III., so that he has seemed to later times not only the matchless crusader he really was, but a large-hearted and able king, under whom the land enjoyed safety and rest. Yet, in several respects, his reign, through no merit of his own, promoted the well-being of his country. Several cities bought charters or an increase of their privileges, on the model of the municipal constitutions of London, Bristol, and Winchester. The lord mayor and aldermen of London are said to date from this reign; probably their offices were remodelled and their powers increased. An assize for the regulation of buildings in towns, and another to enforce uniformity of measures and weights, show that the work of government went on in the king's despite.³ The royal justiciaries after Longchamp were men of principle and ability. The surrender of the right to ships wrecked on the coast in favour of the natural heirs, indicates an advance in international law to which the influence of the crusades may perhaps have

¹ Hoveden; Savile, p. 445. Wendenover, vol. iv. p. 235.

² The life of St. Hugh of Lincoln gives a curious account of Richard's ordering the lands of the sees of Lincoln and Salisbury to be sequestered, on the two bishops refusing to discharge military service out of the realm. Hugh crossed over into

Normandy and made his peace with the king, though he declined even to bear letters asking for a voluntary aid, on the ground that it might be made a pretext for future exactions. Vita S. Hugonis, pp. 250-256.

³ Palgrave's Eng. Com., pp. clxxiv, clxxv. Hoveden; Savile, p. 441.

contributed.¹ Above all, Norman and Englishman, who had fought together in Palestine, were beginning to lose the last feeling of a divided nationality. Both were coming to regard Normandy and other French dominions with dislike, as possessions which kept their king out of the country, and which entailed a yearly loss of money and men. In fact, the country was ripe for severance from the continent, and no longer in danger of relapsing into barbarism. The Crusades, the Church, and Oxford, were European influences which could not easily be set aside. The problem of the next century was to create an individual nationality, and inform the mingled races with common ideas of liberty and law.

¹ Giraldus Cambrensis says that the practice of wrecking went on, in defiance of law, everywhere, even on the estates of great lords and bishops. *De Inst. Princ.*, p. 190. The chronicle of Battle Abbey says (pp. 65, 66) that by the old custom of England a ship was *wreck* and belonged to the lord of the manor, if it could not be got off within a fixed term; that by an enactment of Henry I. the ship

might be claimed by even a single survivor; but that after the king's death this fell into disuse. A charter granting to the monks of St. Nicholas of Scilly all the wreck that came to the island except "whole" and "whole ship," was confirmed 30 Edward I. Oliver's *Monasticon Diocesis Exon.*, p. 74. For cases of illegal wrecking under Edward II. see *Placit. Abbrev.*, pp. 320, 328.

CHAPTER. XXXIII.

THE ANGLO-NORMAN LAW-COURTS.

COMMON, CIVIL, AND CANON LAW. RIGID POLICE OF THE COUNTRY.
 NATURE OF THE CROWN'S INTERFERENCE IN SUITS. THE CURIA
 JUSTICES IN EYRE ON CIRCUIT. THE DUEL AND THE GRAND ASSIZE.
 THE DUEL AND PRIVILEGE OF SANCTUARY. AN ACTION FOR LAND.
 AN ACTION TURNING ON THE PRINCIPLES OF THE CANON LAW: LEGAL
 EXPENSES. DISADVANTAGES OF THE DOUBLE SYSTEM.

THREE systems of legislation influenced the administration of English justice during the twelfth century. The common law of the country had remained in full force from Saxon times. Formed originally by a mixture of Germanic customs and traditions of Roman law, modified by the Church canonists, and latterly by Norman lawyers, it further varied in different places, as these had retained or lost their privileges under successive conquerors. The feeling of the times was against the codifying of customs; it was felt that what had grown up loosely, had better be left vague and indeterminate.¹ English law was accordingly, from the earliest times, "case-law;"² and although codes more or less official existed, they only contained general principles, which might influence, but could not determine, the

¹ Thus the empress Matilda disapproved of the constitutions of Clarendon being reduced to writing:

"hoc enim a prioribus factum non est." Becket, Epist. 346.

² Maine's Ancient Law, pp. 31-33.

decisions of the courts. Side by side with the common law was the canon law of the Church, based originally upon Roman law and the Bible, but modified in England by decrees of national synods and the practice of the clergy. Within the last fifty years there had been a great revival of the study of Roman civil law on the continent; and under Stephen, Vacarius had lectured upon the institutes at Oxford. The contrast of a highly philosophical code with the barbarous English common law, could not fail to impress the thoughtful minds of our lawyers, who accordingly drew largely from the labours of their more civilized predecessors. But the nation, tenacious of its old customs, and the barons, inflamed by repeated feuds with the Church, were jealous of any open infringement on the common law. Hence it is often difficult to distinguish whether traces of Roman influence in our legislation are due to the conquest by Cæsar, to Augustine's mission, or to the movement initiated by Vacarius. But the great prominence given by Norman lawyers to the theory of royalty and its powers was certainly not derived from the aristocratic Saxon times, or from any disposition of the Church to exalt kings. In a general sense, it may therefore be said that the crown and its lawyers favoured civil law, the barons and the people common law, while the Church abode by the canons.

A people divided between two systems, and with a third struggling to intrude, was ill-situated for justice. The multiplicity of the laws hindered their execution; rival courts clashed; and the intellect of the middle ages, from its very subtlety, favoured the growth of legal subterfuges. In the midst of all this, the people, vaguely conscious of oppression which they could not trace to its source, clamoured for strong justice and

more law. It is difficult to conceive a more rigid police and judicial system than existed in the twelfth and thirteenth centuries. Every town and village was bail for its inhabitants, every lord for his vassals; every guild was interested in the fortunes of its members. A strange comer in a village, who was neither armed, nor rich, nor a clerk, must enter and leave his host's house at day-light; even then he could not be harboured for more than a night out of his own tithing. Twice a year the county court held a visitation to ascertain whether any fugitive serfs were within its jurisdiction.¹ The best chance for the runaway was to take refuge in a town. There, if he excited no jealousies, and could lurk undenounced for a year and a day, he enjoyed the protection of the city, and was no longer a serf. But, by the notions of the time, every town had a personality, and the rights, more or less varied, of a feudal lord. Now the new-comer would not naturally be taken up into that corporate existence. The laws would protect his life and property, but if he had not the city franchise, or was not a member of some guild, his position was terribly at the mercy of chance; fire, sickness, poverty, or the expenses of law, might ruin him beyond hope. It was this class, accordingly, that were the great social evil of the times; the lazars and lepers, who died like flies in a time of pestilence; the canaille, whom knights and burghers trod down pitilessly. They have passed away without noise, almost without record in history; they were wretched, and dared not speak.²

¹ The enactments about strangers are found in Edward the Confessor's Laws, and though the date of their compilation is probably later than Edward's reign, the fact need not be doubted, as it is in harmony with the tenour of the later Anglo-Saxon

government. *Leges Edw. Conf.*, 23; *Leges Henry I^{mi}*, vii. 4; *A. S. Laws*, vol. i. pp. 452-514. *Assize of Clarendon*, 15, 16, 19; *Palgrave's Eng. Com.*, pp. clxx., clxxi.

² *Brewer's Mon. Francisc.*, preface, pp. xvi., xvii.

Even in Saxon times, the king, who was no more than the elected first noble of the land, had been called the anointed of the Lord.¹ Under the double influences of Roman precedent, and a strong popular belief in human systems as counterparts of the divine order upon earth, he came to be regarded by legists as the incarnation of abstract law. The comparative degradation of the local courts favoured the progress of royal power; as all, except the great nobles, were glad to call in a third party as arbiter in their differences. Both parties were benefited by the process. The suitor might hope for an impartial decision, and the king enlarged his revenue from the fines of justice.² To modern notions, the frequent payments in a mediæval suit, and the king's direct interest in enforcing the laws of the land, are a strange medley of corruption and barbarism. No doubt the mediæval theory was clumsy; but the payments for justice must not be confounded with bribes; it was only that the expenses of the royal judges and courts were defrayed by a fluctuating percentage upon the suits in them, instead of by certain fixed charges on the tax-payer. When Walter de Mahurdy fined in twenty shillings that an inquest might find

¹ Concilium Calchuthense, xi.; Wilkins, vol. i. p. 148.

² Of the character of the gaol delivery at an accession we get a good idea from what occurred under Richard I. He ordered all prisoners of war to be set free; all forest transgressors to be quitted and let go; all imprisoned by the king or his justice to be quitted; as also all imprisoned by common right of the county or hundred, if they could find bail or would swear to stand trial; and all imprisoned on appeal

if they could find bail, and all outlawed, if they can find bail, to stand trial, or in private quarrels if they make terms with their adversaries. All who are imprisoned on appeal of malefactors to be freed, and felons, not condemned in life or limb, to be allowed to abjure the country. Those felons who have appealed others, not being allowed life or limb, to remain in custody. Benedictus Abbas, vol. ii. pp. 550, 551. Compare Malmesbury, vol. ii. p. 619.

whether he held his lands by serjeanty or by knight's service, a direct commission from the crown was substituted for some proceeding that would probably now take the form of a legal action. When the earl of Warenne fined in a palfrey and a hawk that he might not be justice of the Cinque Ports, he was like a country squire who pays a certain sum rather than serve as sheriff.¹ In the numerous cases where a fine appears as a composition for a breach of the law, we are not to assume that every offence might be condoned for a certain sum in money, but that the offender was purged at law, with or without other punishment, by the payment of a pecuniary penalty. Another kind of fine was that which gave what we should now call a chancery title to lands. A fictitious suit was brought in the king's court; a verdict was entered conveying away the estate; and a certain sum was paid to the crown for allowing the suit to be ended by friendly composition. The termination (*finis*) thus agreed upon having been solemnly made in the king's courts, was held at law to be irreversible, unless proceedings were entered against it within a year and a day.² These considerations will explain the nature of the right which the crown had to interfere, and of the dues that perpetually accrued to it. But nothing can explain away the great evil of an intimate connection between the courts of justice and the exchequer.

Historically, the court of exchequer was the first established in England. It was developed out of the curia, or great court of the king's tenants-in-chief, and was a sort of finance committee of the privy council,

¹ Madox's Exchequer, vol. i. pp. 439-461.

² Coke upon Littleton, p. 121 a;

note i. by Hargrave. The fine was derived from Roman law. Foss, Judges of England, vol. i. p. 181.

with judicial authority.¹ But the grand justiciary, or judicial representative of the crown, was the first law officer of the realm, whose province it was to hear and judge the pleas between tenants-in-chief. Other barons might be present as assessors, but it does not seem that they voted in these trials. From time to time the justiciary visited the provinces, and held a general gaol-delivery. As crown business increased, this part of his duties was put in commission, and justices in eyre were appointed. The date of their first institution is uncertain; but the council of Northampton, A. D. 1176, divided the country into six circuits, which nearly correspond with our present division. The justices were rather royal commissioners, than judges, in the modern sense. They tried malefactors indeed, and held pleas of the crown, where the value did not exceed half a knight's fee. But they also received oaths of fealty; saw that the royal castles were properly garrisoned; supervised weights and coinage; looked after the sources of crown income; and prevented the introduction of new customs.²

The first step the justices in eyre took when they came into a county, the legal notice of fifteen days having been given, was to impanel four jurats from every township, and twelve from every hundred. These were to be of good character, and not accused or accusers in any suit. They were then sworn to declare, upon oath, whom they suspected in their respective districts of such crimes as had been lately committed, and with which the inferior courts were incompetent to deal.³ Let it be assumed that a murder had been com-

¹ Reeves' History of the English Law, vol. i. pp. 48-52.

² Bracton, fol. 116, 117.

³ Subjects who held forests might execute the forest laws, and obtain aid from the crown officers. Bishop

mitted a week before: if the criminal were caught red-hand, or if there were what the law considered evidence of his guilt, the sheriff might at once seize and detain him to receive judgment from the justices, when they came, or might hand him over to the ordinary, if he were a clerk. If he fled, he was outlawed; if he escaped to an asylum, he was forced to quit the kingdom. On these cases, therefore, the justice had nothing to say. But where the guilt was uncertain, a man might be charged with the crime by one of his neighbours, or the jurats might present him as a suspicious person. Such a man might refuse to stand trial; he was then liable to the "peine forte et dure," confinement, and meagre fare, to subdue his obstinacy, but if he died in the process, he was reputed innocent, and his property was not forfeited. If he consented to stand trial, and were accused by some specific person, he might elect between the duel and judgment of his country. Defeat in the duel was equivalent to a verdict of guilty; but victory was not acquittal; the justices might still imprison him if there were good grounds of suspicion. The last case would be that in which the jurats had presented him. Here the public opinion of the country had already condemned him; and our hypothesis started from the point that there was not sufficient evidence to convict. All that could be done, therefore, was to appeal to the other judgment of God, the ordeal by water or fire;¹

Losinga (epist. 35) calls on the sheriff and all Christians, in his diocese of Norwich, to denounce and give up certain poachers, whom he curses solemnly. So, too, we find Roger de Conyers, locum tenens in the bishopric of Durham, imprisoning two poachers on his own au-

thority. Reg. Dunelm., c. 50.

¹ Trial by ordeal was abolished in our courts of justice in 3 Henry III., by an order of the king in council. Kelham, A. N. Dict., p. 130; see also Matt. Westmon., A. 1250.

and escape in this again was not acquittal: the accused might still be imprisoned, or forced to leave the kingdom, unless he could find security for his good conduct.¹ The jurors had a direct interest in procuring convictions. For if a dead body were found, the district was bound either to produce the murderer, or pay the fine of murder to the crown.² It is even a question, whether this fine was not levied where death had been caused by starvation or cold, though apparently it was not in cases of pure accident. The theory, no doubt, was that the state ought to be compensated for the injury it had sustained by the guilty or negligent district. But the law must have stimulated the police of the country, at the expense of its morality; it would go ill with an unpopular man, when the township might save money by hanging him.³

It is remarkable that the duel, which was introduced only shortly, if at all, before the Norman Conquest, and which, by the Conqueror's laws, Englishmen were at liberty to decline, became soon the general custom of the country, without restriction to military tenants or to cases of the first importance. The burghers of St. Edmund's Bury claimed it as one of their privileges that any one of them, accused of theft, and probably

¹ Bracton, fol. 116. Assize of Clarendon, 1, 5, 12, 14; Palgrave's Eng. Com., pp. clxiii., clxix., clxx., clxxxix. Hardy's Introduction to Patent Rolls, p. xxvii.

² The "murdrum" was abolished for cases of accidental death in A. D. 1259. Annales de Burton., pp. 476, 484.

³ Palgrave's Rot. Cur., vol. i. pp. xxxiv., 159, 162, 202, 203, 210. The principle seems not exactly that of a poor-law, but rather that neighbours

were bound to assist every person in danger of death. Thus in the Liber Albus, pp. 88, 89, a beggar woman is found dead; the only man who lived near the spot declared that he had not been in the town at the time, and was let off on that plea till it proved to be false. For cases of accident, see pp. 89, 97. By the laws of Henry I. (cap. lxxxviii. s. 15) a father might disinherit a son who did not take proper care of him in age or illness.

of other offences, might clear himself by compurgation.¹ The practice in London was that the mayor and citizens chose seven compurgators out of citizens in good repute, the accused being entitled to challenge a personal enemy. But in the rest of the kingdom compurgation fell gradually into disuse, either through the larger number of compurgators required from less privileged places, or because the duel and the grand assize were preferred by public feeling. Three main reasons seem to explain the duel as a judicial process. In infant societies, a fair fight between two men, before witnesses, was a good exchange for a family feud. Early superstition believed that the blessing of heaven favoured the right cause. In times when oaths were exacted and taken with frightful frequency, perjury had become the crying curse of the land; and it was said that no man's title would be safe, if it might be impeached by mere oaths. This last reason probably applied in great force to criminal cases after the Conquest; it is easy to believe that an Englishman would always find neighbours ready to save him from the vigorous hands of Norman justice. But the disadvantages of the duel are obvious. In spite of the law disqualifying hired champions, it is pretty certain that they were always to be had for money. The manifest injustice of hurrying men, in a matter of life and death, occasioned many vexatious delays in suits decided by single combat.² Henry II. accordingly introduced the grand assize as a substitute, at the option of the litigants. By this excellent institution, four military tenants of the county or neighbourhood elected

¹ Chron. Joc. de Brak., p. 74. Fitz-Stephen's statement about the citizens of London. (Vitæ Becket., vol. i. p. 174). "Eis est finis omnis

controversiæ sacramentum," applies to criminal as well as civil cases. Compare Liber Albus, vol. i. p. 92.

² Glanville, lib. i. c. 7.

twelve others from the district, who were to declare upon oath with whom the right of the impleaded property lay. These men were not jurors in the modern sense. They were all required to know the merits of the cause before them, "from what they had personally seen or heard, or from the declaration of their fathers, and from other equally reliable resources." In other words, they were a commission whose verdict expressed the public opinion of the neighbourhood, enlarged and corrected by the pleadings on either side. If twelve men thus qualified could not be found, the grand assize was impossible;¹ and the duel was the suitors' only expedient. This difficulty shows how completely the modern idea of the jury was unknown to Anglo-Norman times; and explains why the trial by single combat survived for so many years. It fell into disuse in the fourteenth century, but was not abolished; under queen Elizabeth, the judges were once summoned to preside in Tothill-fields over a fencing-match; and within fifty years of our own time, an accused person escaped a second trial by demanding the duel. This absurdity provoked the statute by which it was finally swept away.

It is unfortunate that our scanty notices of trials in the twelfth century are chiefly connected with miraculous incidents, but the forms of ordinary justice may commonly be discerned in them none the less. It was ordered by a Northumbrian court that a native of Northam should clear himself of a heavy charge by the duel. He went up first to the altar of St. Cuthbert, and swore on a cross made from the wood of the saint's table, that he was innocent. The perjury was visited by divine blindness and lameness, so that when he came to the place of combat he was struck down and killed by his

¹ Glanville, lib. i. c. 21.

opponent's first blow. That one who was perhaps the weaker man should be dizzy and unnerved in a duel is not very wonderful; but the oath taken before fighting is noteworthy, and proves that the duel was designed to sift evidence by invoking God's interference, not merely to end a quarrel by the stronger man's victory. In another case, recorded by the same chronicler, a young man who had murdered one of the bishop's household fled to St. Cuthbert's altar for sanctuary. The friends and relatives of the slain man surrounded the church, and at last prevented the fugitive from ever quitting his position. He was only kept alive by the food which the monks mercifully brought him. Weary of the delay, one of the company struck him as he knelt at the altar, and left him as if dead with eleven wounds. As it chanced, none of them was mortal, and in their indignation at the sacrilege the bishop and his household agreed to condone the charge of murder against him. Meanwhile, when the tumult in the city had subsided, the profaner of St. Cuthbert's sanctuary fled to a neighbouring village for security. But he was pursued and taken, and flung into prison, "to be tortured by a horrible kind of death that was to be thought out." It would seem that the authorities were allowed to vary the sentences they inflicted with the view of inspiring terror.¹

An interesting case in the records of Battle abbey will illustrate the customary proceedings in cases turning on the right to landed property. Ralph, abbot of Battle, had purchased lands of a sub-tenant of Withelard de Balliol. Withelard not only permitted the sale, but threw in an adjoining marsh as a present to the abbey.

¹ Reg. Dunelm., caps. 57, 60, 61.

The transaction was confirmed by Withelard's feudal superior and by Henry I. But Gilbert, the next lord of Balliol, demanded compensation from the abbey for the lands thus alienated from his estate; and when his claim was rejected, took possession forcibly, and mortgaged them to a farmer of Hastings. No redress could be obtained under Stephen. But under Henry II. application was made for a trial before the king's court by Walter de Lucy, now abbot, a brother of Richard de Lucy, the grand justiciary. Gilbert de Balliol, distrusting his own case, or dreading his opponent's interest at court, exhausted every subterfuge to delay the time of hearing. In strict law, he might urge several pleas (*essoins*), illness, a pilgrimage, or absence from the realm on the king's service; for each of these the delay of a specified term would be allowed him; and they might be dexterously intercalated so as to protract the suit indefinitely. The king's frequent absences on the continent were another great impediment to justice, as his court at this time followed him. At last, however, both parties appeared for final hearing at Clarendon. Balliol pleaded that his ancestor's deed was without a seal, and therefore invalid. This objection would have been good by the custom of Henry II.'s time, when the seal was more important than the signature.¹ But Richard de Lucy asked if Gilbert himself had a seal; and being answered in the affirmative, told him contemptuously that in former times the seal had only been used by kings and great lords, not by

¹ Thus, in a poem by John of St. Omer, some peasants of Norfolk are represented as buying their freedom from their lord. They stupidly use the wax seal as a candle at their

merry-making, and their lord having heard of it, reclaims them as his serfs, the deed, without a seal, being void. Wright's *Early Mysteries*, pp. 94, 95.

small gentry; and that captious or sceptical men were not then common as now. Balliol then complained that Henry I.'s charter had been procured by unjust representations. The king refused to listen to this, which was supported by no evidence, and asked the abbot and his advocate, a knight of the abbey, Peter de Chriel, if they had any further proof to lay before the court. As the king's manner and words showed that he thought the documents in court sufficient, the abbot decided to rest his case upon them. The court at once decreed that the lands impleaded should be restored to Battle abbey. Gilbert then petitioned that his tenant might be permitted to remove such of his property as by Roman and English law had become a part of the soil, and would naturally be transferred with it—farm-buildings, crops, and timber placed there by himself.¹ This request was rather harshly interpreted as a confession that his right had never been good; but the court granted it notwithstanding. A precept was then issued to the four knights who held the sheriffdom of Sussex in commission, that they should reinvest the abbot with the lands awarded him, defining their limits by the evidence of twelve trustworthy men of the neighbourhood, who knew the bounds. This was accordingly done; but it provoked a fresh law-suit. A neighbouring tenant, Robert of Yclesham, declared that the jurats had assigned away land belonging to himself, and tried to carry off the hay upon it by force. The energetic abbot roused his tenantry and drove off the intruder. Robert then repaired to the king's court, and lodged a complaint with the justiciary, as Henry was absent at the time. But abbot Walter soon appeared,

¹ Institutes of Justinian, lib. ii. tit. 1. ss. 29, 32.

bringing with him the twelve jurats, and easily established his claim by their evidence. Robert was declared to have borne false witness, and his personality adjudged forfeit to the king, he mounted his horse, says the triumphant chronicler of the abbey, and fled trembling to his home. It is noteworthy that in both these cases the forcible entry was no mere fiction of law, but a petty feud.¹

Our view of English justice in the twelfth century would be incomplete without some mention of the course of procedure in the ecclesiastical courts. Among the "*causes célèbres*" of the times, none attracted more attention, or involved more important principles, than the suit of Richard de Anesty against Mabel de Francaville.² Richard claimed the lands which Mabel's father, William de Sackville, had held as next heir to the deceased, on the ground that Mabel was illegitimate, her mother's marriage being vitiated by her father's pre-contract to another. It must be remembered that the canon law of the Church, like the Roman civil law, regards marriage in its secular aspects simply as a parol contract before witnesses. A formal betrothal, being the promise of a future contract, partook of its binding character; in so far that it could only be dissolved by a special act of the Church. To old Germanic modes of thought, marriage, on the other hand, was held to date from its consummation, and this view no doubt influenced practice. William de Sackville had affianced himself to Albreda de Tregoz. He, however, married in her place Adeliza, daughter of the

¹ Chron. Mon. de Bello, pp. 105-110.

² John of Salisbury (epist. 89) has left an excellent account of this suit,

which Sir F. Palgrave has enlarged from the narrative of Richard de Anesty, and elucidated with admirable notes. Eng. Com., pp v.-xxvii.

viscount Aufred, and had issue by her, of whom Mabel de Francaville was the only survivor. Albreda instituted proceedings in the ecclesiastical court to recover her promised husband, and finally, through the influence of Henry of Winchester, then legate, obtained a rescript from the pope, annulling the marriage with Adeliza. William de Sackville proved a docile son of the Church, and deserted his second love for his canonical wife, with whom he lived thenceforth till his dying day, but by whom he would seem to have had no issue. At his death Mabel entered upon his lands, and Richard, her father's nephew, claimed them in the king's court. He met the plea that the daughter took precedence of the nephew in succession by a denial that Mabel was daughter in the eye of the law. The case turning on the validity of the first marriage, was then referred to the ecclesiastical courts. Richard proved a divorce, and produced a copy, not impossibly forged, of the letter from the papal curia to Henry of Winchester. This document stated explicitly the true doctrine of Roman law, that marriage lay in the voluntary promise before witnesses; and that William's contract with Albreda illegitimatized the children by Adeliza. Mabel's answer was threefold. She said that the contract had not been in the most binding form, but conditional, allowing either party to recede; that Albreda's father had assented to William's breaking off the engagement; had taken his daughter's dowry back, and promoted the marriage with Adeliza. Secondly, it was urged that the divorce had been unfairly obtained in Stephen's disorderly times; that Adeliza had been driven by force from her husband's house, and Henry of Winchester corrupted by money to promote an unjust sentence. William de Sackville, it was added, expressed his re-

pentance on his death-bed for the injustice he had connived at, and acknowledged Mabel for his heir. Thirdly, it was said that, in a case where the parents were *bonâ fide* ignorant that their marriage was illegal, the issue was not bastardized; that accordingly no sentence had been given against Adeliza's children; and that Theobald, count of Blois, had decided on this principle with respect to the fiefs held of him by William de Sackville. It is clear that Mabel had a strong case in equity, and even by canon law, if she could establish her parent's *bonâ fide* ignorance of an impediment. She seems to have given a bad impression of her claims by putting in frequent *essoins*.¹ At last the papal curia gave sentence against her as born in adultery (Dec., A. D. 1162), and a few months later the king's court adjudged the litigated lands to Richard of Anesty.

This suit lasted altogether more than four years.² Richard of Anesty has left in writing the record of his expenses; and it appears that the costs of journeys and pleadings amounted to over two thousand seven hundred pounds of our present value; that the court fees and presents to the king and queen and their physician were about three thousand pounds additional.³ Even this does not represent his total expenses, for he had been forced to borrow money largely at from sixty to eighty

¹ It was remarked of St. Hugh of Lincoln, that he never tried to gain an advantage by putting in *essoins*. Vita S. Hugonis, p. 234.

² John of Salisbury observes that a suit ought to be terminated in from two to three years. Polycraticus, lib. v. cap. 13.

³ £138 14s. 1d. for expenses; £146 13s. 4d. for fees. I have multiplied by twenty, and taken the mark of gold as equal to ten marks

of silver: partly because it was so valued at the treasury in A. D. 1199, (New Rymer, vol. i. p. 76); partly because the queen in some other instances took ten per cent. upon the king's profits. Madox's Exchequer, vol. i. p. 350. The queen was entitled to a mark of gold for every hundred marks of silver paid to the king. Dial. de Scac., lib. ii. cap. 26.

per cent. To this and to the influence of his relations the decision may have been partly attributable. Most of this expenditure was undoubtedly due to the delays resulting from a divided jurisdiction. The issue had been what now appears the triumph of wrong over right. These facts deserve to be borne in mind, that we may appreciate the resolute stand which the English barons made against any extension of the civil law.¹ Its philosophical value did not concern them: as practical men, they saw what England suffered under two tribunals. "We will not suffer the ancient and approved laws of England to be changed," was no irrational cry in the thirteenth century: it meant that no fresh intricacies should be introduced into law; that the foreign priest should not win another domain from the English citizen. Theoretically, it was of course possible, (since the Church would never give up its canons,) that England should exchange its inconsistent, sensible common law for the civil law, which prevailed over much of Europe. But where was the man who could persuade a whole nation to give up its conceptions of legal right, and that nation the English?

¹ When Vacarius first brought over treatises on the civil and canon laws, the feeling against them was so strong that many persons tore up or burned any copies they could find. Joan. Saresb., Polycrat., lib.

viii. c. 22. A century later, Bacon declared that there was more wisdom in Aristotle's few chapters on laws than in the whole body of the civil law. Opera Minora, vol. i. p. 422.

CHAPTER XXXIV.

FEUDALISM AND CHIVALRY.

ORIGIN OF FEUDALISM. HOMAGE AND FEALTY. DIFFERENT FEUDAL TENURES. FEUDAL SERVICES AND RECIPROCAL OBLIGATIONS. VILLENAGE AND ITS REMEDIES. SOCIAL INFLUENCES OF FEUDALISM. REPRESENTATIVE THEORY. ORIGIN OF CHIVALRY. THE KNIGHT'S INITIATION. INFLUENCE OF CHIVALRY ON WAR, ON THE RELATIONS OF MEN AND WOMEN, ON SOCIETY. CAUSE OF ITS DECLINE.

THE origin of feudalism is as difficult to trace as the source of the Niger. The relation of chief and clansman among barbarians, the oath of Roman soldiers to the emperor, the civic responsibility of a father for his children, transferred to a lord for his dependants, are all elements in the system which overspread Europe in the middle ages. Men in those times commonly regarded it from the practical point of view, as service for reward. But it came to have a higher meaning to the state. The feudal baron was the representative of kingship on his domain; rendering justice, maintaining police, and seeing that military service was performed. As a viceroy, he was accountable for the just performance of these duties to the crown. Above all, he was a link in the great chain that bound the lowest peasant and the successors of Charlemagne together. Roman imperialism had divided the world into master and slave. The juster theory of the middle ages, no doubt in-

fluenced by Christianity, regarded mankind as a great family, and sought to strengthen the bonds of union by engagements taken solemnly before man and God. The oath of homage was the most binding that could be taken; the love of a father to his son, the duty of a wife to her husband, were regarded as of less force.¹

"Homage," in the beautiful language of Littleton, "is the most honourable service, and most humble service of reverence, that a frank-tenant may do to his lord. For when the tenant shall make homage to his lord, he shall be ungirt and his head uncovered, and his lord shall sit, and the tenant shall kneel before him on both his knees, and hold his hands jointly together between the hands of his lord, and shall say thus: 'I become your man from this day forward of life and limb and of earthly worship, and unto you shall be true and faithful, and bear to you faith for the tenements (M. N.) that I claim to hold of you, saving the faith that I owe unto our sovereign lord the king;' and then the lord so sitting shall kiss him."² In order to avoid mistake, the tenements for which homage was paid were enumerated. The whole ceremony was performed before witnesses, and was a record of the lord's title-deeds.³ It was no doubt partly intended to obviate the danger of fiefs becoming freeholds, as a life interest in them had passed into a hereditary tenure. In the time of William the Conqueror a woman might be commended to a lord,⁴ but under Henry II. it was held

¹ Thus in A. D. 1175, prince Henry refused to trust himself with his father till his homage had been renewed and accepted.

² The oath given in Bracton is slightly different in words. Bracton,

fol. 80.

³ "Et non debet fieri homagium privatim, sed in loco publico et communi coram pluribus in comitatu," &c. Bracton, fol. 80.

⁴ Domesday, vol. ii. fol. 306, B.

that the oath of homage was too peremptory to be taken by the sex. Where a fief was held by a married woman, the husband took her place towards the lord. But the exception in favour of single women was inconvenient, and in later times a modified form of oath was introduced, in which all mention of personal duty was omitted.¹ Again, bishops-elect did homage for their baronies, but, after consecration, they only took the oath of fealty. The clerical oath of homage (like that of the woman) omitted the words "I become your man," on the ground that the priest had professed himself to be only the man of God. Lastly, homage was restricted to the holders of estates which they could bequeath to their heirs generally, or the heirs of their body.

The distinction of homage and fealty is important. Fealty was more sacred, because confirmed with an oath; less dignified, as it could be done by attorney; more general, as it extended to all freeholders and villeins; less personal, as it did not include the obligation to become the lord's man; and less binding, as, unlike those who held by homage, the tenant by fealty was not bound to sell or pledge everything for his lord's ransom. Hence, apparently, tenants for a term of life did fealty, but not homage. But homage was also more binding upon the lord. Abbot Walter of Evesham, being "a young man of less worldly prudence than was expedient," refused, under William I., to accept the homage of several of his tenants, in order that he might dispossess them of their lands at pleasure.² They denounced him to the crown for unlawful possession, and

¹ "For females cannot by law perform any homage, although, generally speaking, they are to do fealty

to their lords." Glanville, lib. ix. cap. 1. Coke upon Littleton, 65 b.

² Chron. de Evesham, p. 96.

he lost twenty-eight vills by judgment of the shire-mote. The opinion of lawyers afterwards was that homage could only be refused if the relief were not paid, or the claims to succeed doubtful.¹ The vassal, therefore, was not and could not be made a tenant at will. The difference between fealty and the allegiance which every subject owed to the crown, lay in the fact that fealty was done in respect of a tenure, implied a direct benefit enjoyed, and was legal evidence of the lord's rights.²

Homage and fealty being the relations of service, the vassal's condition was determined by the nature of his tenure. Every tenure implied some service, either fixed, and then more or less honourable, or arbitrary, and so a mark of servitude. The Church taking precedence of the State, tenure in frank-almoigne—that is, by the services of religion—came first. This was the tenure of lands that were given without the obligation of any secular service. The churchmen endowed were, however, bound to offer up prayers and masses for the soul of their benefactor, and he or his heirs might distrain on them if this duty were neglected.³ Tenure by homage ancestral was merely tenancy-in-chief by immemorial prescription in the family. It carried with it the ordinary feudal burdens to the tenant; but in return, his lord was bound to warrant him the possession of his estate. Tenure by grand serjeanty implied the perform-

¹ Glanville, lib. ix. c. 6.

² Coke upon Littleton, 68, a, b; Beamish's Glanville, p. 156, note.

³ Accordingly, the Templars' lands were claimed by the heirs of the original donors as escheats when the order was dissolved. Stat. of Realm., vol. i. p. 194. So too a very just claim was set up at the dissolution of monasteries, that lands

granted in frank-almoigne should revert to the families of their original donors, since the services for which they were given could no longer be rendered. Wright, Suppression of Monasteries, letters 39, 52. Grants in frank-almoigne were abolished under Edward I. by the statute of "Quia emptores;" 18 Ed. I.

ance of some personal service to the king, to be his chamberlain or champion. Tenure by petty serjeanty was the yearly payment of some implement of war to the king. These were the tenures of tenants-in-chief; below them, scutage and socage tenures. The term scutage is now commonly used of the tax for which service of the shield was commuted. Originally it meant the obligation to serve in arms forty days in the year, and was attached to every knight's fee. Fealty, with or without homage, and scutage together, made up knight's service. Fealty, with or without homage, and any other special service below petty serjeanty, constituted the important class of socage tenures. The obligation to perform all services indiscriminately, was villenage. In other words, the distinction between gentry and mere freedom lay in the service of arms; between freedom and servitude, in fixed, instead of variable, dues. The distinctions of socage tenure are numerous, as the word came to cover the service of the plough, rent for houses paid immediately to the crown (burgage tenure), or rent by various tenures, even one so debasing as doing the hangman's duty. Sometimes two or three conditions were united; it did not matter, so long as they were not variable. Beneath these middle classes came the large class of villeins. A villein might be *regardant*, attached to the soil, or *in gross*, attached to the person of his lord. A freeman might hold land in villenage, and be bound to do villein's service upon it. One of the things that most complicates the consideration of feudal England, is the way in which a personality attached to corporations and lands. Every acre of soil, every institution, was animate, so to speak, with duties and privileges, which had attached to it from time immemorial, and could not be lost.

The obligations of a feudal vassal were service in council, in the court of law, and in the field. His service in the field was limited by a right, constantly disregarded, not to serve out of his own country, and except, perhaps, on a crusade, not to serve more than forty days.¹ He was bound to sustain his lord in self-defence,² and to guard his castle during a certain number of days. If his lord ventured on private war the opinion of the best legists was that the vassal could not be distrained to follow him into the field, but the vassal, if brought to justice, might probably plead his lord's orders in excuse. He was forced to contribute, to redeem his lord from captivity, when his lord's eldest daughter was married, or when the eldest son became knight. These reliefs, as they were called, were at first arbitrary and oppressive. Gradually they were fixed, by custom, at the rate of five pounds for the knight's fee of land, or about five hides; this was "the reasonable relief" that is mentioned in *Magna Charta*. The heriot, or royalty on the goods of a deceased vassal, seems gradually to have been confounded by the Normans with a relief which the heir was bound to pay out of his own purse on succeeding to an estate. The heriot conveyed the acknowledgment of former vassalage; and, from analogy, one was claimed by the Church at the death of every believer. The relief was rather a recognition of the lord's claim to continued service from an estate. It is important to observe that no man was bound to pay the

¹ As bishop Hugh of Lincoln not only refused to perform foreign service for his lands, but was followed in his refusal by the bishop of Salisbury, the exemption must have been common, if it was not universal.

Vita S. Hugonis, pp. 249, 250. Wendover refers to the forty days' term of service as a French custom (vol. iv. p. 133).

² Leges Hen. I., c. lxviii. s. 12.

necessary reliefs more than once to every natural heir of the estates, otherwise a frequent change of owners, by sales or forfeitures, would have been intolerably oppressive. In the case of tenants-in-chief, their heiresses were royal wards, whom the king might marry at pleasure. The abuse of this prerogative by monarchs who gave the daughters of noblemen to unworthy favourites was a grave grievance, of which the barons constantly complained, but which was never effectually redressed.

The vassal could not transmit his inheritance to a leper.¹ He lost life and land if he fled from his lord in battle through cowardice, and even his freehold escheated to the crown.² Generally he forfeited his fief if he did not perform its duties, or if he made any attempt on the person or honour of his lord and his family. But these obligations were reciprocal. The lord was not even allowed to raise a stick upon his vassal. Insult, outrage, or the denial of aid or justice, entitled the vassal to withdraw his fief and declare war upon his superior, though it was at his peril in England if he violated the king's peace. In cases that did not come to this extremity, the vassal might appeal to a court of his peers, presided over, it is true, by his lord; but a further appeal lay from this to the suzerain. That injustice was often done, is probable. But the institutions of these times are not chargeable with unfairness in their spirit. The great curse of the country was its over-legality, and the belief that it could root out abuses by multiplying systems and laws.

It has been said that a freeman might owe service in villenage for lands held on that tenure. But these cases, which Littleton speaks of as folly, were of course

¹ See the case of Brien Fitz-Count. Dugdale's Baronage, vol. i. p. 469.

² Leges Hen. I., c. xiii. s. 12.

comparatively exceptional. During the twelfth century three men in five were villeins or serfs. In theory, these men were entitled to all the protection of the law; they could not be slain, mutilated, or outraged by their lord, and though generally incompetent of giving evidence in the shire-mote, they could bear witness in a case of rape even against their lord.¹ Their condition in practice, of course, varied with the times, the district, and the character of their owner. The worst point in their state was the right the owner had, if he chose to enforce it within a certain term, to any real property or merchandize they might acquire, though apparently not to their money, and certainly not to the necessary implements of their occupations. In other words, a peasant could neither be a trader nor a landowner. It is doubtful how far this increased the difficulty for men to buy their own liberty; though they certainly did it at times.² Becoming a priest, or escaping to a town was another means of acquiring liberty; in each case, the man had transferred his service to a new lord. Owners of serfs accordingly legislated against these infringements of their rights; but their best remedy lay in making escape from their estates difficult, as the Church and cities were

¹ Glanville, lib. v. c. 5. Rushworth, vol. ii. pp. 94-100.

² Coke upon Littleton, 118, a, b. I assume that if the villein's wainage could not be seized for a fine to the crown, it was regarded as his property. (Dial. de Scac., lib. ii. c. 14.) In the various Latin poems against the men of Norfolk, which Mr. Wright has printed, (Early Mysteries, p. 94,) mention is made of a landowner who oppressed his serfs by hard labour, and took their cattle and money. Yet the villeins clubbed

together and bought their freedom of him. Compare Cod. Dip., 1351. "Hereby is shown . . . that Ælwig the Red hath bought himself out from Abbot Ælfsige . . . with one pound." Glanville (lib. v. c. 5) says distinctly that "all the chattels of any naif are understood to be in the lord's power in such sort, that he cannot redeem himself from villenage with his own money." A third person, however, could redeem him, and perhaps intermediaries were employed.

interested in protecting the fugitives. The humane subtlety of English lawyers came to the aid of the oppressed class. The principle of Roman jurisprudence, that slavery is against the law of nature, was reproduced by Bracton;¹ and Fortescue finely observes, that the liberty which has been taken from a man seeks every issue to return to him. The remarkable doctrines, that a free father made a free son, and that all cases of doubt were to be decided in favour of liberty, must have emancipated a large class in the middle ages. The first is a gross method to look back upon, though it has issued in good. Nevertheless, it is doubtful, I think, if the men who freed themselves, or who were accounted free as illegitimate, were much more numerous than those who, by their own confession in a court of record, made themselves serfs to obtain subsistence or protection. English liberty is mainly derived from two originals. The plot of ground allowed to the serf remained so long in one family that the notion of a fixed or copyhold tenure was substituted for that of arbitrary service. Or, as the employment of hired soldiers made money more valuable than a large following, and the trade in wool made pasture more profitable than arable land, the great landowners evicted their labourers, who were thus thrown upon the country, houseless and landless, but free. To be set free in this way was at first a doubtful benefit. When Witham Monastery was founded the tenants ejected to make way for the monks were offered their choice of liberty or a settlement in their old condition on the royal manors.² They elected variously.

¹ Institutes of Justinian, lib. i. tit. iii. s. 2. Bracton, fol. 5. No one who compares the two passages can

doubt that Bracton is copying the Institutes.

² Vita S. Hugonis, p. 68.

The universality with which the principles of feudalism were applied can scarcely be exaggerated. In the ordinary life of society, the knight was invested with his order as with a fief, and the woman bound to her husband by a promise resembling the oath of homage. In religion, the great question at issue between Church and State was conceived under feudal aspects, and men debated whether pope and emperor were alike supreme in their own demesne, but each owing service to the other for some fief held of him; or one subject to the other, or both independent powers, holding only of Christ, their suzerain.¹ In law, the theory that a monarchy was a fief, and the administration of justice one of its appurtenances, has stamped itself upon English legislation. In itself, it was no small change that the monarch should be called king of England instead of king of the Angles; it substituted the notion of proprietorship for that of headship of a clan. That peculiar feature of these ages, which led them to express their abstract ideas in rigid symbols, to materialize and petrify what would otherwise have been fleeting and vague, contributed to invest legal fictions with an intense reality. Hence it was that the English towns, as soon as they became free and corporate, were treated as barons. Each of them was an organic life, so to speak, with many members, but only one will, and with the responsibilities of an individual. The governing powers of a corporation, its mayor, aldermen, and common council, were the lord of the citizens. Naturally, therefore, they were held responsible for the actions of any one of their body. The cost of a criminal's offences was assessed on his fellow-citizens; and the debt owed

¹ See, e. g., Ockham, *Disp. Cler.* pp. 13-18, and Dante, *De Monarchiâ*, lib. iii. et Mil. Goldasti *Monarch.*, vol. i.

by a single man to the exchequer might be recovered from his township; the act of a deputation was binding on those from whom it came.¹ In these few facts lies the whole representative theory. Once grant that a city can be conceived as a person, and the great democratic problem of expressing every individual will is solved.

As feudalism was the conservative element which connected mediæval society with order and property, but threatened to turn it into a hierarchy of castes, so chivalry may be called the element of progress. The one took its stand on what was real; the other connected itself with ideas. Antiquarians may trace the name chivalry to the fiefs which were bound to supply horsemen, but the institution itself is derived from deeper wants of human nature than the mere need of a militia. It expresses the union of the citizen with the Christian. During many centuries the words of Christ, that his kingdom was not of this world, were interpreted as a command to desert secular society. The silent heroism of men, who fasted and prayed, in fearless unconcern that the world was crashing around them, may command the admiration even of those who deplore it as unintelligent. When Europe was reconstructed, its nobility in every country came in as barbarians and pagans, and were converted by the subject people, or by their more civilized neighbours. The comrades of Rollo and Guthrum were willing to be baptized, if it were with the sword at their side. Hence the question arose whether war might not be reconciled with religion. The conscience of men answered that it was right to fight for their homes and faith. But the duty of self-

¹ Madox's *Firma Burgi*, chaps. 2, 7, 9.

defence, though it might kindle enthusiasm, could not create chivalry. Mere brotherhood in arms was not knighthood; it did not distinguish the civilized man from the berserker. The crusades idealized war. Men who left home and hope behind them, to fight for a shattered cross and a blackened altar, had that sense of looking beyond an immediate gain, which partly redeems the extravagance of an appeal to arms, in purifying it from all self-seeking. The limits of citizenship were enlarged, when soldiers who were throwing away their lives aimlessly in petty feuds, and whose highest religion had been to hear a mass now and then, or endow an abbey at death, perceived that God might be served in the camp as well as in the sanctuary. A war hitherto had been just or unjust, as it respected or violated treaties. A war henceforth required some plea of right to excuse it in the eyes of Christian men. Church and State, as their rival theories expanded, were threatening to divide society into two hostile camps. They joined hands, as it were, over the holy sepulchre.

Nothing, then, can be nobler than chivalry was in its beginnings and in its theory. The young squire, a boy of gentle birth, was brought up in some great household, where he learned to serve, and was trained to the use of arms.¹ He looked forward to knighthood as the highest reward of distinction. Often, if he had the true spirit of a soldier, he refused to receive his spurs till he should have won them on the bloody battle-field. Even where knighthood was conferred, as a matter of course, on a young man of high lineage who had reached

¹ St. Palaye, *Mem. sur la chevalerie*, tom. i. chap. 1, 2. Milman's *Latin Christianity*, vol. iii. pp. 253,

254. I have not gone into the distinction of page and squire. The two terms are sometimes confounded.

the required age of twenty-one, it was attended with ceremonies which the novice could never forget. He bathed in token of future purity, took a vow of chastity, and swore to shed his blood for the faith, and to have the thought of death ever present to his mind. He fasted till evening, and passed the night in prayer. At dawn he confessed, heard mass, and partook of the Eucharist. Then he knelt before his godfather, and was pledged to maintain the right, to be loyal to all true knighthood, to shield women from wrong, and the poor from oppression; to forswear all treason, and keep faith with all the world; to love, honour, and succour all loyal knights. He was then arrayed in armour, every piece of which had some symbolical meaning; was dubbed knight, and rode round the lists, while the church bells pealed, and the multitude shouted.

Those who draw their notions of chivalry from romances, are apt to attach an undue importance to the place which tournaments held in chivalry. Any theory that consecrated war, no doubt, tended to make its image popular. But the Church, with a just feeling that bloodshed was too awful a matter to be jested on, forbade tournaments from the first. Our kings discouraged them from reasons of policy; it was not safe for the country that many men in arms should assemble at one spot.¹ But if chivalry in a slight degree promoted the love for adventure and war, it certainly tended to consecrate justice and law, and to make the

¹ Three popes forbade them, and Alexander III. refused Christian burial to those slain in them. Hoveden; Savile, p. 334. Under Richard I. tournaments were allowed (A. D. 1194), to practise the knights in warfare. A party assembling

accordingly near St. Edmund's were excommunicated by the abbot. Chron. Joc. de Brak., p. 40. In the quarrel between the De Clares and the De Montforts, A. D. 1265, Simon de Montfort forbade a tournament at Dunstaple, where the two factions

conditions of bloodshed more humane. When the conquest of England was achieved, the prelates of Normandy "by their decree confirmed by the apostolic legates, imposed a general penance upon all, from the highest to the lowest," who had shared the glory and license of the king's campaigns.¹ A century later an English moralist declared that all who used arms, except as the law ordered them, were to be regarded as assassins and thieves.² In the battle of Brémule, one of the most decisive of Henry I.'s time, nine hundred men-at-arms were engaged, and only three slain. "For the Christian warriors," says the chronicler, "did not thirst to shed their brothers' blood, but rejoiced in the lawful triumph which God gave, to the profit of holy Church and the quiet of the faithful."³ In the war which Henry II. waged against his sons, not a single prisoner forfeited his life for treason. When the Danes under Hasculf attacked Dublin, Miles de Cogan placed his Irish allies at a distance, bidding them watch the event, and secure their own safety by siding with the conquerors.⁴ Such magnanimity was of course rare, as natures so gifted must always be; but it at least shows that contempt for the lives of the "canaille," or "rascal multitude," was not a necessary result of the spirit of chivalry.⁵

How far the position of women in England was raised

intended to meet. New Rymer, vol. i. part i. p. 450. But two years later tournaments were celebrated all over England. Wikes; Gale, vol. ii. p. 84.

¹ Palgrave's England and Normandy, vol. iii. p. 485.

² Joan. Saresb. Polycraticus, lib. vi. c. 8.

³ Orderic, vol. iv. p. 357.

⁴ He also gave them back their

hostages, so as to leave them completely free. In the end, they sided with him. Regan's Conquest of Ireland, pp. 109, 110.

⁵ I believe it will be found, that most of the instances quoted by Hallam, Arnold, and others, to show that chivalry had an alloy of intolerant pride of race, and blood-thirstiness, belong to continental history, and are traits of a particular

during the twelfth century by chivalry is difficult or impossible to decide. The splendid tournaments of Provence, at which women presided, and where knights contended as minstrels, are as foreign to early English history as adventures like that of the Provençal troubadour, who tried to win his lady's love by disguising himself in a wolf's skin, and allowing himself to be hunted by shepherds' dogs on the mountains.¹ Our national sobriety never wandered into these exotic extravagances. Marriage seems to have been chiefly regarded as an arrangement for transferring property and consolidating estates. There is still a contract on record from the middle ages, in which a husband assigned his wife to another man at pleasure. The ecclesiastical courts declared the parties purged of adultery; but the secular courts were less complaisant, and barred the lady of dower at her husband's death.² We know of a case where a paralytic wife was repudiated, and

nation, not of European society. The massacre of Limoges by the Black Prince is indefensible, but it was the storm of a town; and if Froissart does not openly blame the conquerors, he at least pities their victims in language that may contrast favourably with the writings of more recent military historians. Moreover, the sentiment of race was a fact of the times; a source of bitter enmity, and of much misery, but not derived from chivalry. After all, I know nothing in early English history, except William's devastation of the north, and the civil war under Stephen, that approaches the horrors which our troops have committed in putting down the Indian revolt; or any language in mediæval writers so revolting as that in which an Anglo-Indian civilian has related a butchery he presided over.

¹ This madman was Pierre Vidal of Toulouse. The delicacy of the compliment lay in an allusion to the lady's name, Louve de Penautier. Sismondi's *Literature of the South*, vol. i. chap. 5.

² John Comoy's grant of his wife. "*Noveritis me tradidisse et dimisisse spontaneâ voluntate meâ domino Gul. Paynell militi Margaretam uxorem meam; . . . et concedo quod prædicta Marg. cum prædicto Gul. sit et maneat pro voluntate ipsius Gul.*" Rot. Parl., vol. i. p. 146. This William Paynell lived in the reign of Edward I. Dugdale's *Baronage*, vol. i. p. 433. Compare an extract from *Purleigh Register*, (communicated,) "Sept. 1782, Annie, daughter of Moses Stebbing, by a bought wife delivered to him in a halter."

on her recovery brought a successful suit for the restitution of conjugal rights.¹ The proprietary theory of marriage is in general, however, favourable to its purity. That singular preference of the adulterer to the husband, which still distinguishes continental romance, was always rather French and Italian than English: Arthur was our hero, and Lancelot was most popular in France. Nevertheless, even in the *Morte d'Arthur* the knights are pure, or set purity before them, while the women are uniformly unchaste. In fact, the society of men and women who were uncultivated, idle, and lived high, could scarcely be otherwise than corrupt.² The conversation and repartee of a mediæval circle would disgrace a modern tavern.³ It was the husband's duty to preserve his wife from more notorious scandals by the discipline of stripes, as bishop Grosseteste puts it, if the discipline of words were not sufficient. Nor was this only the grim humour of a priest, for our great legist, Fleta, a little later defines the legal *status* of women, as "under the rod."⁴ The influences of the Church on woman's position were various. It opposed the prestige of monasticism to the sacramental character of marriage, and regarded as impure the sex of her whom it revered as the mother of God.⁵ Unbelief in womanly virtue animates the ribald songs and gross stories which con-

¹ Malmesbury de Pont., Gale, vol. iii. p. 378. For another instance of such a suit, see the *Vita S. Hugonis*, p. 181.

² For some historical evidence of this, see *Gul. Cant.*, *Vitæ Becket.*, vol. ii. p. 31; *Chron. Joc. de Brak.*, p. 52; the story of Nesta, *Itin. Cam.*, lib. i. c. 2; the compositions with the crown for adultery (as in *Rotuli de Oblatis*, p. v. note 1), the private

vengeance taken for it (*Close Rolls*, p. 126), and the case of Alice, wife of Robert de Wattelai, who killed her husband, *Rot. Chart.* 2, John, pp. 86-88.

³ See Wright's *Anecdota Literaria*, pp. 74-76.

⁴ Grosseteste, *Epistolæ*, p. 393. Fleta, lib. i. c. 9.

⁵ The license at common law which a woman has to marry, if her hus-

vent brothers have handed down. It was impossible that chivalry should teach men to respect what none around them respected, and what was not respectable.¹ But as the tone of society was insensibly raised by theories that saw a moral meaning in war, and something more in weakness than an occasion for outrage; the men who inherited this culture desired a change in their homes that should correspond to the heightened humanity of the camp. The unsexed heroines, of one of whom it was written that she was "the shield of her country, the bulwark of the marches," were out of place in the orderly epoch of history when the freebooter had been supplanted by the knight. Safe from violence and insult,² women began to respect themselves, and refined passion into love. Ovid was the master of song in the twelfth century: two hundred years brought with them "the legend of good women."

It is these human elements in chivalry, its regard for life and infinite tenderness, that were the secret of its strength. With sympathies so wide, it could not restrict

band be absent, and no tidings of him procurable during seven years, was no doubt derived from Roman law through the canonists. Exc. Ecgb., 123, 124; A. S. Laws, vol. ii. p. 116. Dictionary of Antiquities, Art. Postliminium. It is a remarkable proof of the conflict of theories that the Church should have allowed one of its sacraments to be overridden by the feudal oath, and cancelled for the time by captivity. There is, however, this difference between the Roman and our own common law, that the first husband, in Roman law, could not, if he returned, reclaim his wife, except with her own consent.

¹ A curious instance of the older

view of woman occurs in an ancient version of the *Morte d'Arthur*. Meleagans challenges any knight of Arthur's court to joust with him, and proposes to wager the ladies in his castle against queen Guenever. Arthur consents; his champion, Kay, is overthrown, and Guenever carried off, but finally rescued by Lancelot. Ellis's *Metrical Romances*, pp. 145-150. For instances of killing and beating wives, see *Liber Albus*, vol. i. pp. 103, 115.

² Glanville observes (*lib. xiv. c. 6*), that if the offence of rape could be condoned by marriage, well-born women would never be safe from their inferiors.

itself to the narrow circle of caste. Society tended to unalterable distinctions of ranks—the sons of the conqueror and the conquered. The spirit of mediæval legists aimed at solidifying what existed, at shutting out all change, at constructing a perfect logical fabric, and imprisoning man within it. Even poets betrayed the cause of the world, and delighted to show in their romances how the soldier, who seemed to be the peasant's son, was really begotten by a knight.¹ But throughout English history, the man who had won his spurs by fair conduct in the field might wear them; the gentleman without fortune might command barons in war, and be called brother by his king.² To be brave, loyal, and generous, established a claim to the title-deeds which were good through Europe. The universal Church, with its one tongue and democratic hierarchy, did much for society; but it formed a world by itself. Chivalry invaded the very strongholds of rank, and

¹ Garnier, however, has some fine lines (p. 89):—

“Mielz valt filz a vilain qui est preux et senez,

Que ne fait gentilz hum failliz et debutez.”

Again, in *The Four Sons of Aymon* the valiant knight Renaud becomes a mason, to testify his sense of human equality. But I suspect the feeling of the times would have endured a descent of this sort more cheerfully than the rising of a parvenu from the ranks. “J'escommenie . . vilain qui devient chevalier,” *Anecd. Lit.*, p. 61.

² Thus Gerard of Athy is called “servus et a servis oriundus utroque parente.” Brito. *Armoricus*, Bouquet, vol. xvii. p. 217. Compare the case of Stephen of Tours, p. 395. “Then spoke Sir Joce: ‘Friend

burgess, you are very strong and valiant . . . You shall live with me, and I will never fail you.’ Joce thought he had been a burgess: for burgesses really have put armour on,” &c. *Hist. of Fulk Fitz-Warine*, p. 31. So king Arthur knights Tor, believing him to be a cow-herd's son. *Morte d'Arthur*, cap. 47. Ordericus Vitalis (lib. iv. p. 164), gives a list of nine whom Henry II. raised “from the dust,” and adds there were many others. Several of them, however, were of gentle birth. A strong instance, though not from English history, is that of Reginald de Chatillon, who, from being “gregarius miles,” rose to be prince of Antioch, and lieutenant of the kingdom of Jerusalem. *Itin. Reg. Ricard.*, p. xcix.

clung like ivy round the grey battlements of feudalism, at once beautifying and destroying it. Accordingly, chivalry, as a system, perished when men departed from its first principles. Nothing could seem more severely logical than the union of monk and knight in the Templars. But the order was a caste; it struck at the very existence of common society; it joined in one the Janissary and Jesuit. An outburst of wrath throughout Europe swept it from the earth. Nothing could be more natural than that knighthood should be looked upon as a mere ornament of position and wealth; that the noble should take it up with his coronet. But men felt that birth, which conferred precedence and power, could not give honour; a poet of the people noted the change that was coming in as early as the beginning of the fourteenth century, and sang sorrowfully :¹—

"Knights should weare weden in their manere,
After that the order asketh all so well as a frere.
Now be they so disguised, and diversely y-dight,
Unneath may men know a gleeman from a knight

* * * * *

Knightship is debased, and diversely y-dight,
Can a boy now break a spear, he shall be called a knight.
And thus be knights gathered of unkind blood,
And envenometh that order, that should be so good."

There were periods of revival under Edward III. and Henry V.; earl Rivers was a knight of the old stamp. But a change was coming upon the world; old faiths and old systems were broken up; and chivalry was left to the graves where the stone warriors lie, with their hands folded crosswise. Honour, manhood, and tenderness are imperishable, and have survived knighthood.

¹ Wright's Political Songs, p. 336 (Camd. Soc.) The preceding stanza had said, "They should go to the

Holy Land. . . . And fight there for cross, and show the order of knight, and avenge Jesus Christ," &c.

CHAPTER XXXV.

MEDIÆVAL LITERATURE.

TENDENCIES OF ANGLO-NORMAN LITERATURE. CONSTRUCTIVE CHARACTER OF PHILOSOPHY. ANSELM'S METAPHYSICS. INFLUENCES OF PHILOSOPHY ON RELIGION. CHARACTERISTICS OF MEDIÆVAL HISTORY. CYCLE OF POLITICAL ROMANCES. GEOFFREY OF MONMOUTH. DISCOVERY OF ARTHUR'S REMAINS. CHIVALROUS ROMANCES ABOUT ARTHUR. EXTENT AND DIFFUSION OF MEDIÆVAL LITERATURE.

WITHIN a hundred years from the Norman conquest, four important literary movements inspired English thought with new energies, and diverted it into new channels. The study of the best Latin authors produced a classical renaissance, which may be traced in the chroniclers of the time, who affect copious quotations from Ovid or Horace, contrast their heroes with Cæsar or Alexander, or embellish the narrative with fictitious speeches. Meanwhile, as in the dearth of experimental science, and under the influences of monastic life, the highest speculative thought of the times was concentrated on theology, the Christian Church, no longer threatened by paganism, began to remodel its philosophical creed, and to occupy itself with the doubts of sceptical believers and the polemics of Jewish writers.¹

¹ Anselm tells us, in the preface to his *Monologium*, that it was written at the request of his pupils,

who wanted an independent proof of Christianity. In the preface to his *Cur Deus Homo*, he says that

Although there were schoolmen before Anselm, they were few and far between, and we may fairly father on him the new philosophy, whose golden chain of disputants was unbroken thenceforward down to the fifteenth century. Men of more secular or more practical habits of mind occupied themselves with Roman law, and interwove it with English feudalism. For one who wrote like Glanville, or lectured like Vacarius,¹ we may be certain there were twenty educated men, like Roger of Salisbury or Becket, who studied law to fit themselves for state business. It would scarcely be wonderful if the movements derived from Cæsar and Virgil, from Plato, and from Justinian, had absorbed the intellect of the age, and hindered the beginnings of a national literature. But the facts are otherwise. English history found a native poet in Layamon. Norman chivalry created that splendid romance-literature which has made Arthur an undying name, and whose thoughts and incidents are more than ever household words, at the end

his first book is an answer to the objections of infidels who reject Christianity as irrational. Giraldus Cambrensis gives incidentally three stories, one of a monk, two of teachers, who impugned the cardinal doctrines of Christianity. Gemma Eccles., dist. I. c. 51. In the romance of the Holy Graal, the introduction represents a monk who has doubts on the doctrine of the Trinity. Furnivall's Saynt Graal, Roxburghe Club, p. 7. Cf. pp. 84, 85, in which a heathen clerk is brought in arguing against it, and is only confuted by a miracle. Gilbert, abbot of Westminster and a contemporary of Anselm, wrote a *Disputatio Judæi cum Christiano*, the report of an actual discussion, which

seems to have converted a Jew present. Compare Malmesbury, lib. iv. p. 500, and the story of a knight in Joinville (p. 16, ed. Michel), who stops a controversy between Jews and Christians, "*Car . . . avoit il séans grant foison de bons chrétiens qui s'en feussent parti touz miscreanz,*" &c.

¹ Vacarius, a Lombard by birth, was brought over in Stephen's reign, by archbishop Theobald, to assist him in his contest with Henry of Winchester about their respective privileges. Vacarius took advantage of his stay in England to read lectures on Roman law in Oxford. At the suggestion of his scholars, he drew up a manual of legal practice. Chron. Norm., p. 983, A. 1148.

of six centuries. The songs, epigrams, and metrical stories, which formed, so to speak, the periodical press of the times, are in great measure lost to us. The chances were terribly against literary immortality when so many men could write, when the means of multiplying a good book were small, and when the publicity that enables the world to compare good with bad works was almost unattainable. The writings of Giraldus Cambrensis have come down to us in a single manuscript, and much that Roger Bacon wrote has perished. It is therefore remarkable that we should still be able to count up nearly two hundred Anglo-Norman writers who flourished between the reigns of the Conqueror and John. These are of very unequal merit; but the highest names among them include some of which any age might be proud. Anselm as a thinker may be placed by the side of Kant. The vivid style and descriptive power of Giraldus Cambrensis remind us, in his autobiography, of Montaigne; in his geographies, of Herodotus; and in his narratives, of Clarendon. Glanville is still a classical name in law.¹ There is a want of artistic finish about Anglo-Norman poetry; but the main conception of the "Quest of the Sangréal," and the chief traits of the story, entitle its author, Walter de Mapes, to the rank of an epic poet. Had those romances ever been remodelled by a Dante, instead of

¹ Phillips, in his *Eng. Reichs-Geschichte*, doubts whether Glanville was really the author of the *Tractatus de Legibus*, but admits its possibility. Band. i. s. 232. Mr. Hunter, in his preface to the *Pedes Finium*, vol. i. pp. xiv.-xvii., takes the same line even more strongly. Beamish, however, in the preface to

the *Tractatus*, advocates Glanville's claim, and Mr. Foss, in his *Judges of England*, vol. i. pp. 180-183, shows almost conclusive reason for believing that the work was written either from Glanville's dictation or under his direction and superintendence.

a Malory, the world would have judged the middle ages more truly.

The philosophy of Anselm is, in a certain sense, the key-note to all mediæval literature. To understand it, we must start from the circumstances of the times. Criticism was beginning to assail the fabric of religion, which a thousand years had built up. But criticism, unfurnished with philosophy or a knowledge of history, was reduced to *à priori* arguments on the nature of God and the world. Even such a man as Abelard, who collected contradictory passages in Scripture, and placed them in witness against one another, attached no importance to the difficulties he conjured up; they were rather exercises for logical subtlety than stumbling-blocks to faith. In other words, the truths of Christianity, Scripture, and the Church, were so interwoven in the popular apprehension, that they stood or fell together: the doubter was either a Deist or a Jew at heart. Now, in a contest between the faith and its opponents, the advantage in the twelfth century lay altogether with the defence. The Bible and St. Augustine only needed to be expounded by Anselm, in the century of the crusades, for the impotence of all scepticism to be exposed. But this strength of the Church gives the works of its advocates a constructive character. They aim not so much at demolishing an adversary, as at exhibiting their own theory in completeness and majesty. "I believe in order that I may understand," is the key-note of Anselm's philosophy.¹ The truth, if it be but known, will speak for itself. Moreover, the true metaphysician is the poet of the

¹ "Neque enim quero intelligere ut credam; sed credo ut intelligam." Proslog., c. 1.

universe. The relations of the finite and the infinite, of God and the world, are the subject-matter of his art. Hence, if he be a thorough workman, he will never rest satisfied with barren dialectical victories: he demolishes on constraint, but he produces from the natural impulse to endow the world with something perfect which it wanted. His greatness and his failure lie in the effort to know and explain God as law.

In proving God's existence, Anselm commits the usual error of basing his proof on the facts of human consciousness. Assuming that there is some one point in which all desirable things agree, he arrives at the conception of absolute goodness which underlies them. Similarly the principle of existence, if it be not distinct in everything that exists, must be absolute. Now, as the cause of existence is the cause of the existence of good, the cause of all existence will be the highest good. Even if there be several supereminent natures, they must agree in some common point of excellence, and that sum of all goodness is deity.¹ Again, the mere fact that there are certain ideas which by their nature transcend finite experience, the belief in an infinite Being, or in infinite goodness, is a proof that there is some existence independent of the mind, and yet underlying all consciousness. The mere thought of God is a proof that he exists.² A tacit assumption that right reason and absolute truth coincide is the basis of all these arguments. Supposing them to be irrefragable, they only demonstrate that the conception of God is a necessity of human thought. This does not impair their practical

¹ Monolog., cc. 1-7.

² Proslog., cc. 2-15. Anselm distinguishes the capacity to comprehend the ideas of deity, from that

actual comprehension which follows faith. "*Aliud est enim rem esse in intellectu ; aliud intelligere rem esse.*"

value, as we cannot think out of ourselves, but it demolishes the whole transcendental fabric, and leaves religion on no higher basis than the physical sciences.

But Anselm did not regard the reason as the only, or even the most perfect, reflex of the divine mind. The superiority of the Christian doctor to the Platonist appears in his higher view of human character. It is the threefold man—compounded of memory, understanding, and love—who, in proportion as he is perfect, is the mirror and image of the Trinity.¹ Reason in itself is only the instrument by which truth is known. It may almost be said that the senses are more trustworthy than the intellect, for our mistakes are more often the result of wrong inference than of wrong observation. The eye is not at fault when we think that the lower end of a stick in the water is bent, but the reason is to blame, that it does not allow for a change in the medium.² Although, therefore, reason alone can take cognizance of intellectual truth, or the realities of existence, the will is the power by which we apprehend moral truth or righteousness. Ultimately, therefore, all depends upon the will as the motive power in man. Fortunately God has endowed us with a free will, whose essence is that we should choose righteousness for its own sake. It is true we may take evil as our good; but the being able to yield is no part of our liberty. The will is always stronger than the temptation to which the man gives way; if he falls, he is like the wrestler who can throw a bull, yet

¹ Monolog., cc. 59, 60. The curious prominence here given to memory may be regarded as a tribute to the importance of facts or experiences. We are not only a compound of reason and emotion, but the sum of our past lives is a part of our cha-

racter. It is also derived from the Platonic doctrine of the "anamnesis," probably through the medium of St. Augustine. Confessions, lib. x. cc. 10-12.

² Dial. de Veritate, cc. 4, 6.

lets him himself be overcome by a ram.¹ How is it, then, that God suffers us to be tempted and fall? that he has even predestined some to evil? Anselm grapples with these insoluble difficulties by distinguishing prescience and predestination. God knows what will happen, but the frailty is man's deliberate act, not God's. In the victory over temptation lies the difference between righteousness and mere innocence. We are only fit for heaven when we have striven to enter in at the strait gate.² The manliness of these theories is remarkable. As a Christian, Anselm rejects the contemptible materialism that regarded sin as a taint of blood, or a planetary influence.³ As a man, he seeks reverently to explain the will of God by his own noblest instincts. He accepts the cup and cross as the conditions of paradise.

How these semi-Platonic views re-acted upon Christian belief, is apparent from all the doctrines of the time. Men who thought to understand God in the mind, and to start from abstract laws that they might explain facts, naturally regarded thought as the only reality. The world around them was changing, but the laws of God were eternal and reason invariable. This view of the universe is reflected in their language. To

¹ *Dial. de Lib. Arbitrio*. In the eighth chapter, Anselm observes that God may annul all creation, but cannot deprive any man of his freedom of will.

² "Si in incorruptionem statim in baptismo vel in martyrio mutarentur fideles periret meritum, et homines, nisi illi qui primi sine exemplo crederent, nullo merito salvarentur. Neque deficerent fides et spes, sine quibus nullus homo habens intellec-

tum regnum Dei mereri potest," &c. *De Concord. Præsc. Dei cum Lib. Arbitrio*, c. 9. The preference of pagans who, having not the law, were a law unto themselves, to mere professional Christians, is eminently mediæval.

³ For proof that such doctrines were not unknown in the middle ages, see Bradwardine, *De Causâ Dei*, lib. iii. c. 10.

us who inherit Locke's phraseology, and who live among chemists and engineers, the word substance conveys the notion of something concrete and tangible—the wood of a table, or, speaking generally, matter without form. The schoolman of the middle ages classed everything which the senses perceive, under the head of “accidents,” and reserved the word substance for that subtle individuality,¹ which assigns a table its name, whether its material be wood or stone, whether it have four legs or two. Transfer these things from a trivial instance, like that of a table, to the nature of man, and the importance of the distinction will be seen. The schoolman recognized an abstract humanity which was independent of climate, birth, colour, and natural shape and endowments, and which constituted the family of man. In the great mediæval doctrine of transubstantiation, the schoolman would have been the first to admit that no chemical analysis would detect any change in the consecrated elements.² But he asserted that the individuality of the bread (its breadness), was exchanged for the individuality of Christ (his human-divinity). The evil of a highly abstract doctrine lay in its liability to misconstruction. Probably most men abstained reverently from scrutinizing the great perpetual miracle of their Church, and contented themselves

¹ Peter Lombard invariably confounds the words “substance” and “essence.” Sentent., lib. i. dist. 2, 23. Ockham says that an “universal” cannot be a “substance,” as otherwise the idea of individuality belonging to the latter would be destroyed, and Christ would have something in common with the damned. This distinction of the law in God's mind, from the law in

nature (the “in naturâ naturante *idēa*,” and “in naturâ naturante *lex*,” of Bacon), belongs to Ockham and his school; but his language shows the accepted meaning of the word substance. Ockham, *Logica*, cap. 15.

² Compare the comment Giralduſ ascribes to the devil,—“Non enim cibus est corporis sed animæ.” Itin. Camb., lib. i. c. 12.

with deducing from it the fact, that Christ, once incarnate in the flesh, was perpetually present among the faithful. But the gross legends, in which the host is represented as changing into an infant Christ, prove that an unintelligent faith might sometimes disclaim its own first principles, in the attempt to prove them. Such fables involve really a completely different doctrine, which might be called transaccidentation, but which no Church has ever yet deliberately set forth.

It cannot be questioned that the doctrine of transubstantiation came gradually to be associated more and more with the highest claims of the clergy to power. Yet the practice of the Church was often more tolerant than its theory. At one time laymen and women were allowed to administer the host to the sick; and when this use was at last forbidden, the English divine who records the prohibition, observes that it did not apply to cases of necessity, and that baptism, extreme unction, and the eucharist might be administered by laymen, under pressure.¹ In the same spirit, Innocent III. ruled that all who died during time of interdict, without share in the guilt that had drawn down church censures, were to be regarded as having received the necessary sacraments. Nor did the superstition of early times attach more to the eucharist than to the gospels. If there were men, who celebrated masses over waxen images that they might bring down curses on their enemies, there were others who paid the priest to recite gospels that they might obtain riches or children, or drive away evil spirits. The mere touch of the Gospels was sometimes used as a cure for spasmodic and nervous diseases. Worst of all, in its practical bearings on

¹ Gir. Camb., *Gemma Ecclesiæ*, pp. 13, 14.

morality and religion, was the use made of excommunication as a mere engine of police. When Herbert Losing, bishop of Norwich, found that poachers had broken into his park and killed a stag, he forbade them "the entrance of the church, and the body and blood of Christ, and the communion of all Christendom." "May they be cursed," he adds, "in house, road, or field; may their flesh rot as the flesh of Herod rotted; may they have anathema maranatha if they do not speedily repent and make satisfaction."¹ Yet the bishop was among the better men of his time. The laity were like-minded. The farmers of Abbotsleigh in Kent compelled their parish priest to excommunicate the poor who, in time of famine, had plucked the unripe corn, and only one landowner in the village had the courage and piety to denounce the sentence.² Last of all, the Church came to refuse the consecrated host to the malefactor at point of death, ostensibly because at such a moment it could not be satisfied of his repentance, but really to invest secular justice with an additional terror.³

There was, however, a better aspect of the belief that thought was the only reality. The soul was regarded as a compound of will and intellect, which was acted upon by the senses, but independent of them. It followed that any false doctrine was an indelible taint upon the soul, but that moral transgressions were only dangerous, inasmuch as they degraded the better nature in man, and dimmed its perceptions of good. The fires of purgatory might

¹ Losingæ Epist. 35.

² Wendover, vol. iv. pp. 320, 321.

³ Gir. Camb., Gemma Ecclesiæ, p. 116. It seems the felon would sometimes keep the host entire in

his mouth till he came to the gallows, and then claim the privilege of sanctuary as if at the altar. So at least I understand this passage.

purify the sinner, but not the heretic. Down to the last moment of his life, the man tainted with false opinion, had it in his power to recant and be saved, but the soul could not change its nature beyond the grave. Hence the tolerance and the bigotry of mediæval writers are alike remarkable. They could pardon the frailties of the flesh, for all were liable to these, and excess might be corrected by chastisement—the sin of the moment by the penance of years. They could hope for the salvation of pagans who had struggled towards the light by the aid of reason. There were Christians who suffered death for Christ's love before the Lord was born,¹ says an early English poet; every man who has worked out truth, says Ockham, though he be a pagan in name, like Job, will be saved as a Christian.² Moreover, no error, if it were not obstinate, would be damnatory; St. Martin told the devil that he himself might be saved if he would repent,³ and the thought took body in English hymnology,⁴—

“ Had he once grace besought,
Mercy had passed righteousness.”

When Carpus prayed that a renegade from the faith might fall into the pit of hell, he was charged by the

¹ “ Many man for Christes love
Was martired in Romaine, Er any
Cristendom was knowe there Or any
cros honoured.” *Vision of Piers
Ploughman*, ll. 10,704, 10,708.

² Ockham, *Sentent.*, lib. vi. part
ii. c. 77.

³ Sulp. Sever., *De Vitâ B. Martini*, c. 24.

⁴ *Hymns to the virgin and Christ*,
edited by F. J. Furnivall, p. 97.
Compare the Irish story of Mael-

suthain O'Carroll, who is told by
three disembodied spirits that he
will go to hell in three years for his
vices and impiety; he answers that
he shall not go to hell, for that he
will repent and be pardoned. Ac-
cordingly, on the day of his death,
they return and escort him, now
purged of his sins, into the presence
of God. O'Curry, *Ancient Irish
History*, pp. 78, 79.

crucified Christ, looking down from heaven, to pray rather for "man's salvation."¹ The legend of Joseph of Arimathea represents him interceding for the Lord's murderers,² and the story of St. Brandan told how he ministered to the wants of Judas.³ Nor are these the mere utterances of a better nature in men protesting against theological dogma. "It is no part of our discipline," says Giraldus Cambrensis, "that any man be converted against his will."⁴ "The Church does not close her bosom to him who returns,"⁵ said a Papal Bull. Side by side was a faith in the gradual triumph of good over evil. "Before Christ took flesh," said a legend of the twelfth century, "the devils had great power over men, but when he appeared it was so much impaired that many of them fled before his face, and hid themselves in the hollows of trees, and in caves, and in deep waters."⁶ Accordingly, the church bells of Dewsbury rang a knell on Christmas-day because the devil had died when Christ was born.⁷ But the man who died holding error against the light, was lost irredeemably. The mercy and justice of mediæval Christendom are nowhere more splendidly set forth, than in Dante's vision of the invisible world. Yet he who placed the just king, Riphæus, in heaven, and who declared that "infinite mercy has arms so wide as to embrace all who return to her," condemned the chiefs of his party, Farinata, Cavalcante, and the great emperor Frederic

¹ October 3, Greek Menology, reproduced in Robert of Brunne's *Handlyng Synne*, pp. 165-167.

² *Seynt Graal*, p. 33, ed. by F. J. Furnivall. In another part of the same poem (pp. 204, 205), St. Joseph receives a spear thrust from an angel, for allowing some pagans to depart unbaptized.

³ *Life of S. Brandan*, edited by T. Wright, pp. 26, 27.

⁴ *Gir. Camb., Gemma Ecclesiæ*, p. 66.

⁵ Wilkins, *Concilia*, vol. ii. p. 330.

⁶ *Gir. Camb., Itin. Camb., lib. i.* c. 12.

⁷ *Collectanea Topographica*, p. 167.

II., to burn to all eternity in the fiery sepulchres of hell.

It has been shown that the intellect of the middle ages subordinated facts to thought, the experimental to the deductive sciences. This habit of mind, of course, re-acted upon history. Men regarded it as a treasury of ethical illustrations and biographies, or perhaps as a record of political rights; but those ideas of its scientific value, which we owe to Vico and Gibbon, were impossible in the twelfth century. Malmesbury, Orderic, Eadmer, and Florence of Worcester, have high merits of a certain kind; but truthful statements, vivid personal portraiture, a diligent compilation from all sources, and a more or less classical style, are the only qualities we have a right to expect from them. The fashion of inventing speeches for the chief actors in events, was unhappily copied by Orderic and Giraldus Cambrensis from their classical models. Giraldus and Henry of Huntingdon plead guilty to the still worse offence of writing in extremes, of praising a king fulsomely during his lifetime, and inveighing against him after his death. Their excuse is the weak plea that they were afraid to speak out while he lived, that they praised real virtues and attacked actual defects.¹ Sycophancy and malice were the natural taints of times when the relations of high and low were at once intimate and capricious. Want of critical power is a serious shortcoming, but must be taken relatively. False derivations of names were unavoidable, till the study of language had been based on philosophical principles. Miraculous explanations of natural phenomena only show that the

¹ Hen. Hunt., *De Contemptu Mundi*; Ang. Sac., vol. ii. p. 699. Girald. Camb., *de Inst. Princ.*, p. 69.

writer lived in a pre-scientific age. But a man who accumulated these stories, as Giraldus Cambrensis did, from the love of telling them, or, like Matthew Paris, from want of common sense, incurred the censure of his contemporaries.¹ A crude voracity for facts, and a disorderly tendency to refer them to causes with which they have no connection, are scarcely more characteristic of mediæval chronicles than of so-called philosophies of history in the nineteenth century. Men were timid in their strictures on received tradition, when the causes of error were only imperfectly known. But the criticism that tacitly rejects an incredible story, was constantly exercised by early writers, and deserves at least to rank next after the criticism that disproves it. Even this was not always wanting. William of Newburgh's analysis of the histories of Arthur was written before the end of the twelfth century, and has left little to be added by later writers.²

The interest which the Normans took in the history of Arthur and his court has appeared to many inquirers more than natural. Some have accordingly explained it by the desire to exalt British over Saxon history, and to remind the conquered English that they were neither the first nor the noblest occupants of the soil. No

¹ Girald. Camb., *Expugn. Hibern.*, *Præfatio*.

² Newburgh, *Præfatio*. His arguments were adopted by Higden in the *Polychronicon* (Gale, vol. iii. pp. 224, 225), and by Brompton; *X Script.* cc. 1153, 1154. Compare the violent attack on the *Historia Britonum* by Giraldus Cambrensis. *Itin. Camb.*, lib. i. c. 5. Except Wendover, who professed to collect narratives of interest indiscriminately, I know of no mediæval historian of any eminence

in England who accepted Geoffrey's history of Arthur. As for metrical narratives, they occupy the debatable ground between chronicle and romance, and the authors had the poet's eye for a good story. Yet Robert of Brunne, while he copies Geoffrey of Monmouth, observes that the whole story of Arthur was frequently held for fable, and concludes moderately, "not alle is sothe ne alle lie."

doubt history then, as now, was coloured by political interests, and employed to point the commonplaces of statesmanship. The advantage of a strong over a divided government had been deeply impressed on the nation by the Norman Conquest and the civil wars under Stephen, and is frequently enforced by mediæval writers.¹ But it is difficult to suppose that the Normans would set themselves, from deliberate policy, to circulate the national history of the free Welsh, with whom they were constantly at war, above that of their quiet English subjects, or their own ancestors. The story of Rollo's connection with Alfred looks much more like a Norman political forgery. A more probable theory ascribes the glorification of Arthur and British history to jealousy of French suzerainty, and of the part taken by the French in the Crusades. A king like Henry I. or Stephen might be well pleased to read, and let Europe read, how the peers of France and the senators of Rome had once done homage to Arthur. The insular spirit which kept our sovereigns from the holy war might comfort itself with traditions of a time when England was sufficient for itself. It is noticeable, however, that the Arthur of Geoffrey of Monmouth is a king and statesman, not a knight-errant; the chivalrous element is singularly absent. Probably, therefore, these reasons do, to a certain extent, account for the great popularity which Geoffrey of Monmouth's history achieved. The remainder of its success is no doubt due to the character of the narrative. The legends of Bladud, of Sabrina, of Porrex and Ferrex, of Lear and Cordelia, and the more circumstantial narratives of Vortigern's treachery, Uther's heroism, and

¹ Newburgh, vol. i. p. 160; Malmesbury, lib. iii. p. 421; Geoffrey of Monmouth, lib. xi. c. 9.

Arthur's royalty, have a human interest to which the lifeless skeletons of ordinary English chronicles cannot pretend. But Geoffrey's work sufficiently shows that he wrote, as he professed to write, from documents. He probably rationalized a little, tampered with genealogies, arranged dates, and in other ways did infinite mischief; but it would be monstrous to suppose that he invented the history he set forth. If he did, he ought to rank as one of the first artists in literature. But in fact nothing is more difficult than to invent a new story, let alone twenty; and the exploit becomes incredible, if we add the difficulty of palming the forgeries upon a nation as its own history. There can be no doubt that Geoffrey derived the bulk of his work from old traditions, and probably, as he himself states, from some old compilation.¹

A thorough analysis of the book would be invaluable, if it were possible. In many cases we can see how the story arose. The story of Brutus, an exile from Troy, who gives his name to Britain, is a mixture of classical reminiscence with that mythopœic philosophy which personifies in order to explain. King Belinus is a degraded god, and the story of Brennus shows that the old connection of Britons and Gauls was understood. The princess Sabrina, the kings Humber and Ebrauc,

¹ Geoffrey of Monmouth seems to me to claim something more than the merit of a mere translator. He calls the book "*opusculum meum*:" he begs that its merits may be ascribed to his patron; he quotes the Roman histories apparently as an independent source of information; and he inserts the prophecies of Merlin, which he admits to be a different book, in the middle of his own work. Lib. i. c. 1; lib. iv. c. 1. It is noteworthy that Giraldus

Cambrensis (*Itin. Camb.*, lib. ii. c. 1) quotes as Merlin's, and current in Wales, a proverb not to be found in Geoffrey of Monmouth. See also for a prophecy called Merlin's, the "*Hibernia Expugnata*," lib. ii. c. 16. Above all, the statement of Giraldus, that the Bretons in his time expected Arthur as the Jews their Messiah, would scarcely be possible if Arthur's history had been forged only fifty years before. *Speculum Ecclesie*, Dist. ii. c. 9.

have their classical counterparts in Arethusa, Alpheus, and Romulus. Some names of early kings are derived from authentic history, and others had probably been preserved in Welsh genealogies. British fancy never, I think, worked without some foundation, but the basis is often very slight for the superstructure. In the account of Cæsar's landing, the histories of Cassibellaun and of Caractacus have been melted into one. In the same way Vortigern is confounded with Gerontius, and the credit of Maximus' expedition to Italy is transferred with a more glorious issue to Arthur. In Arthur more traditions centre than in any one else. In the old mythical narrative, he had been born of a virgin. Later writers, not understanding the covert plagiarism from the Gospels, represented him as a bastard, or borrowed the legend of Jupiter and Alcmena to disguise his birth. His parliament at London, and many incidents of his wars with the Saxons, are derived from the reigns of Alfred and other Saxon kings.¹ The names of his peers and contemporary kings, the Roman Kay, the Saxon Ulf, and the Cumbrian chief Urien (Ryence), take us back to the old times when the nationalities were struggling for supremacy. The petty Devonian prince, whom Cerdic pressed hard, and whose wife Maelgoun carried off, has been strangely transfigured in the six centuries after death. But a new fate awaited him. From being the type of British kingship, he was destined to become the ideal of European chivalry.

The discovery of his remains favoured this second apotheosis. Where the monks of Glastonbury had so much to gain by the disinterment, some doubt will

¹ I suspect it is from a confusion of this sort that the *Morte d'Arthur* explains Camelot (Cadbury) as Winchester. Similarly, one copy of the

laws of Edward the Confessor refers in one instance to Arthur as a legislator. Coke upon Littleton, p. 68, b.

naturally exist whether they found more than they had put there. Yet there is one circumstance, in the account given by Giraldus Cambrensis,¹ which, if true, removes all suspicion of fraud. He says that the abbot was induced by old traditions, some of which king Henry had heard in Wales, to dig deep between two pyramidal stones which stood in the abbey church-yard.² Some sixteen feet below the surface, the hollowed trunk of an oak was found, with a leaden plate on a stone cross, bearing the epitaph: "Here lies buried the famous king Arthur, with his second wife, Guenever, in the island of Avalon." The rude coffin was opened, and two skeletons were found. Arthur's bones were of heroic size, the skull ample, and cloven by deadly wounds. A single lock of yellow hair, once a woman's, still lay among the bones. A monk who was standing by, caught at it roughly, and the golden tress, for which Lancelôt had sinned and Arthur died, crumbled into air. Now, hair so far decayed that a touch would destroy it, could not have been transferred recently from one sepulchre to another. The mention of Guenever as a second wife is also of uncertain authority in the Arthur traditions, and was so unsuited to the romances that it never took its place in popular belief. Probably, therefore, a forger would not have inserted it. But this part of the epitaph has been called in question.³

¹ Giraldus Cambrensis, however, reports a prophecy ascribed to Columba, (Hib. Exp., lib. ii. c. 16), about an exile who should come to Down and capture the city; and another ascribed to four Irish prophets (c. 33), that the English will subjugate Ireland finally on the eve of the day of judgment; all of which Prof. O'Curry regards as forgeries. Can we infer that the

forgery of prophecies was a Norman practice? O'Curry's *Ancient Irish History*, pp. 432, 433.

² The *Annales de Margan*, however (p. 21), refer the occasion of the digging to accident, and the date to A. D. 1191, while they omit all mention of Guenever from the inscription.

³ Girald. Camb., de Inst. Princ., pp. 191, 192. Knyghton, who says

Under the influence of chivalry, the story of Arthur took a new character. The interest of his life was made to centre around his marriage with Guenever and the Quest of the Holy Graal. Maelgoun of North Wales, whom history recorded to have carried off Arthur's queen, was transformed into two characters: the savage Meleagans, who bears her away in war, and Lancelot, who delivered her, and whose guilty love for his lord's wife was reciprocated.¹ The story that Arthur condemned the adulteress to be burned is so unsuited to the manners of the twelfth century, that it must have been derived from old tradition. But the true beauty of the Arthur romances does not lie in their stories of knightly adventure, or of guilty or unfortunate love. They exhibit the grand conception of a commonwealth of Christian gentlemen. The Holy Graal, borne by angels about the world, is the type of sacrifice, whose occasions are heaven-sent, and are yet only achieved by those who seek them out. Mere daring is not sufficient for the enterprise; the knight who sees the beatific vision must be sinless and pure. The pursuit of good is not recommended by any material benefit. From the day the Quest is undertaken, Arthur knows that his company of knights will never again assemble in his

that he had seen and handled the cross, gives the whole inscription. X Scriptores, c. 2397. Brompton, copying the Chronicle of Margan, (p. 21), omits the passage about Guenever (X Scriptores, c. 1152), and Leland denies its authenticity. Mr. Ellis quotes from an old romance the statement that Arthur repudiated his first queen to marry Guenever (Metrical Romances, p. 144), but this story is unknown to

Geoffrey of Monmouth, to Malory, and to Hector Boece: it is quite as likely, therefore, to be derived from the epitaph as the epitaph from it. Richard I. is said to have given Arthur's sword, Caliburne, to Tancred of Sicily: probably it had been taken from the tomb. Brompton; X Scriptores, c. 1195.

¹ Villemarqué, *Les Romans de la Table Ronde*, pp. 58-62. Ellis, *Early Metrical Romances*, pp. 145-154.

court; and Galahad, who achieves the enterprise, is straightway translated to heaven. But other causes, besides the pursuit of an idea, are breaking up the fellowship of the Round Table. The sin of Guenever and Lancelot overthrows the whole fabric and purpose of Arthur's royalty. The contrasts of actual life in the twelfth century meet us, therefore, in its romances; the idealism of crusaders is alloyed with the frailties and sin of a court. From the battle-field and the palace we pass, by some inexorable fatality, to the cloister and the grave. But if the artist does not crown his masterpiece with the serene light of success, it is because he looks beyond the temporal and visible world to the eternal and unseen. He feels that sin may be expiated and obtain the pardon of heaven, but that it ends properly in penitence, not in enjoyment. He believes that the struggle for an idea is the better part of life on earth, and grander even than the tranquil possession of truth. Generations may come and go, Arthur and Galahad die, and the earth remain with no true knight-hood upon it, but honour and self-devotion are eternal.

How far the literature of the middle ages was diffused among the different ranks of society cannot easily be determined. Yet there are some facts at hand which speak strongly for the cultivation of the upper and middle orders. Hugo Lupus, who delighted in hearing stories from the Bible or about the saints, Herbert Losing, who had Suetonius transcribed for his own use, and Walter Espec, who told his knights that the proper employment of his old age was to read or relate history, were not men who impressed their contemporaries by any exceptional scholarship.¹ Henry of Winchester, who

¹ Orderic, vol. iii. p. 4; Losingæ Epist. v.; Hist. Ethel. Rieval., X Scriptores, c. 339.

formed a menagerie,¹ and Robert of Gloucester, who revived the study of Welsh history, are chiefly memorable as statesmen and warriors. If we look at our kings, Henry I. was reputed an author, Henry II. was an accomplished linguist, his son Richard a poet, and we find John borrowing Pliny for his amusement.² John of Salisbury in his epigrams speaks of one man, seemingly a steward or land-agent, whose great delight was in studies and songs, and of another who was devoted to books, especially of theology.³ The great circulation of ballad literature is proved by Walter Longchamp's employment of minstrels, as a modern minister might subsidize the press; and the same Latin songs were current in England and Germany. The constant demand for a knowledge of French, Latin, and English, acted upon all classes of society,⁴ and when Richard I. was returning home through Austria, a page in his suite was able to speak German.⁵ A knowledge of the Bible must have been pretty widely diffused, when our kings jested out of it, and when a popular demagogue like Fitz-Osbert made Scripture the text of his discourses. The chronicles, written by ecclesiastics, are mostly tessellated with quotations from the Vulgate, which are in-

¹ Ang. Sac., vol. ii. p. 421.

² Compare John's quittance to the abbot of Reading for "six books of the library in which the whole Old Testament is contained, and for sundry works of St. Augustine, Peter Lombard, &c." Rot. Litt. Claus., p. 108.

³ Jean. Saresb., lib. iv. p. 292.

⁴ In the thirteenth century, Bacon, in recommending his contemporaries to learn Greek, Hebrew, Arabic, and Chaldee, observes: "Non ta-

men intelligo, ut quilibet sciat has linguas sicut maternam in quâ natus est, ut nos loquimur Anglicum, Gallicum, et Latinum." Opera Minora, vol. i. p. 433. Abbot Odo of Battle (A.D. 1175), used to preach in Latin, French, and English. Hist. Mon. de Bello, p. 163. Compare Grosseteste's lines, "Tuz avum mester daie Saver le langage en fin Debreu, de griu, ne de latin." Chateau d'Amour, p. 3.

⁵ Oxenedes, p. 80.

roduced as freely as they were afterwards in Puritan phraseology.¹ A knowledge of the best classical authors was equally common. The latest and best biographer of Giraldus Cambrensis says that "quotations from Terence, Virgil, Horace, Ovid, Juvenal, and Statius, from Cicero, and Seneca, are thickly sown throughout his writings."² In fact, it was one misfortune of the middle ages, that the originality of its writers was overpowered by their reverence for the great masters whom they studied; and their style exhibits the chains of this generous servitude. There were two ways in which a student communicated his last results to the world. Giraldus Cambrensis, a noisy, self-satisfied man, was fond of lecturing in public, and he tells us that scarcely a hall in Paris could contain the multitudes who flocked to hear him discourse on law. When he had finished his "Topography of Ireland," he read it publicly at Oxford. On the first of the three days which it occupied, he entertained all the poor of the town; on the second, all the doctors of the faculties and their most distinguished pupils; on the third, the rest of the students, townsmen, and gentry. Less vain-glorious men preferred more modest recitations, or trusted to transcripts of their works being made. Anselm was compelled to publish an authoritative edition of his *Monologium*, because so many copies of it were already in circulation, from notes of lectures or imperfect transcripts. Garnier's life of Becket may be said to have gone through two editions, as the indiscretion of a copyist caused the work to appear prematurely, and while still

¹ Lanfranc, Gundulf, Anselm, Foliot, and Grosseteste, are eminent instances of men who occupied themselves with Scriptural studies. See

Grosseteste's *Epistolæ*, p. xxxii.

² Girald. Camb., *Opera*, preface by Professor Brewer, vol. i. p. xiv.

in want of many corrections. But this very fact shows that a book on any popular subject was eagerly looked for and greedily read. In fact, the writings of our mediæval historians are so largely made up of patch-work from another as to prove that popular writings circulated freely from reader to reader.¹

How these results were attained will be understood, if we consider that the numerous clergy scattered up and down through England had a direct interest in promoting education. They eked out their scanty stipends as tutors and schoolmasters. The historian Orderic tells us that when he was only five years old he was handed over to the noble priest Siward to be taught his letters.² John of Salisbury gained a living at Paris by instructing young noblemen.³ More generally, young men of family were brought up in the houses of prelates and chancellors, and Becket, William Longchamp, and Grosseteste are amongst those who trained pupils in their household.⁴ A school in the eleventh century was already a source of income, and we find a bishop of Norwich assigning a monopoly of the schools at Thetford to a certain dean Bund.⁵ Often a school was attached to a monastery, and in this way Neckham the schoolman was educated at St. Alban's, and Urban III.

¹ As a striking instance of this I may quote the character of Henry II. in the *De Instructione Principis* of Giraldus Cambrensis, where whole sentences are identical with passages in a letter from Peter of Blois to the archbishop of Palermo, though one author is hostile and the other friendly. *De Instruct. Princ.*, pp. 69, 70. *Petri Blesensis Epist.* 66, *apud Carusium*, vol. i. p. 494. Professor Brewer observes that it is again "quoted with some omissions

by John Ross, *Hist. Reg.*, p. 143."

² Orderic, vol. ii. p. 301.

³ Joan. Saresb., *Metalogicus*, lib. ii. c. 10.

⁴ Fitz-Stephen, *Vitæ Becket.*, pp. 189, 190. Hoveden; Savile, p. 400, *Monumenta Franciscana*, p. 163.

⁵ *Losingæ Epist.* 37. Compare William de Grimele's application to Grosseteste for the schools at Lincoln. *Monumenta Franciscana*, p. 174.

at Malmesbury.¹ A man, more qualified for hand work than brain work might make money as a copyist. Wilmund, a bishop of Man in the twelfth century, rose from poverty and obscurity by his eminence in this art.² Bishop Losing of Norwich indignantly reprimands a monk, who had pushed his studies as far as grammar and St. Augustine, for deserting abstract science to make money by copying out martyrologies, breviaries, and "love-letters."³ A century and a half later we find the illustrious Bacon spending two thousand pounds in books and experiments.⁴ The sum, large even for our own times, seems enormous for ages in which books were comparatively few. It is true they were proportionably dear. Setting aside the costly bibles and missals, whose illuminations and gilding marked them out as objects of art, we find three shillings given for a psalter under William II.⁵ By Edward III.'s time books had probably cheapened, as unlicensed booksellers were then restricted to works not exceeding half a mark in value.⁶ Practically, however, we must assume that the student who could not buy for himself, like William of Malmesbury,⁷ or Bacon, was reduced to consult the libraries of monasteries, whose books though jealously guarded and never lent out, except on pawn,⁸ were sufficiently

¹ Alex. Neckham, Opera, p. 503. Petri Blesensis Epist. 216.

² Newburgh, vol. i. p. 64.

³ Losingæ Epist. 43, 46 (compare 51). I am not sure whether "furtiva scripta" is rightly translated "love-letters;" but the use of a writer for this purpose is still common in many parts.

⁴ Bacon, Opera Minora, vol. i. p. 59.

⁵ Losingæ Epist. 46. Matthew Paris speaks of a psalter "usque ad regales divitias redimitum." Vitæ S.

Alban. Abbat., p. 127.

⁶ A. Wood, Hist. Univ. Oxon., A 1373.

⁷ Malmesbury, vol. i. p. 143. John of Salisbury mentions a priest who travelled with a treatise by Anselm in his saddle-bags (Vita S. Anselmi, c. 17), and Giraldus Cambrensis speaks of taking books with him to Paris (De Rebus a se gestis, lib. ii. c. 1). Compare the Speculum Ecclesiæ. Dist. iii. c. 5.

⁸ Compare the quittance given by John for the books of Reading

numerous. The character of these differed with the abbot, with the diocesan bishop, and with the times. At Evesham abbey, for instance, a library of law-books was formed by an abbot, who had taught law in Oxford, while Whitby abbey was especially rich in the fathers and classical authors. Christ Church, Canterbury, was so favoured by its situation that it possessed nearly three thousand treatises in the reign of Edward I., some of which were no doubt due to Becket, who caused transcripts of books to be made in France.¹ Naturally the bible and the fathers were the staple of a monastic library, but as monks were men of various, and often of distinctly secular tastes, law, history, and even knightly romances were not unfrequently included. Lanfranc, indeed, allowed the Benedictine monks to read for relaxation.² Nor was it possible for the teachers of men to neglect the sciences of life. While the numerous law-courts were worked by writs, while taxation, commerce, and domestic economy involved a knowledge of accounts, while every estate had its carefully guarded charters, there was little fear that an educated class would ever die out of the land. It is highly probable, indeed, that learning was looked upon very much as a

Abbey (Rot. Litt. Claus., p. 108). Bishop Losing's pawn of three shillings for the psalter (epist. 46), and Dr. Maitland's observations; *Dark Ages*, p. 266.

¹ For a good account of monastic libraries, see Edward's *Memoirs of Libraries*, vol. i. c. 2. Incidental notices will be found of Peterborough, Cænob. Burg. *Historia*, Sparkes, pp. 98, 99; of Bury St. Edmund's, Chron. Joc. de Brake-lond, p. 100; of Norwich, Losingæ Epist. 52; of Abingdon, Chron. Mon.

de Abingdon, vol. ii. p. 289; of Evesham, Chron. de Evesham, pp. 267-270; of Malmesbury, Gale, vol. ii. p. 377; of St. Alban's, Vitæ S. Alban. Abbat., pp. 108, 127; of Ely, *Anglia Sacra*, vol. i. p. 633. But it was not the object of chroniclers to give a catalogue of the books in a monastery, and the notices that occur are often only of richly-bound bibles, meant for display in churches. Still they testify to a certain multiplication of books.

² Lanfranci Opera, vol. i. p. 88.

professional study, which a noble or a knight might altogether neglect without much discredit. But when all allowances have been made, the fame which Oxford achieved in spite of its poverty, and the numerous students who flocked to Paris for further or better instruction, are splendid evidence of our ancestors' zeal for letters. The reproaches of barbarism sometimes cast upon them may be reduced to two charges, that books were few and costly before printing was discovered, and that the facts of the mind and the relations of God to man were studied to the disparagement of experimental science.¹

¹ For a very full account of education in England down to the sixteenth century, I must refer the reader to Mr. Furnivall's preface to the *Babees' Boke*, edited for the Early English Text Society.

CHAPTER XXXVI.

ANGLO-NORMAN SOCIETY.

DUALISM OF CHURCH AND STATE. BELIEF IN SYSTEMS. SECULAR CHARACTER OF THE CHURCH. ECCLESIASTICAL INFLUENCES ON SECULAR LIFE. ECONOMICAL VALUE OF MONASTERIES. LIFE IN LONDON AND IN THE COUNTRY. HIGHER MATERIAL WELL-BEING AND DIMINISHED ARTISTIC PERCEPTIONS OF MODERN TIMES. CONTRASTS OF SUPERSTITION AND INTOLERANCE BETWEEN ANCIENT AND MODERN TIMES. QUESTION OF INDIVIDUAL LIBERTY.

IT is not unusual to compare the simple organizations of Athens and Rome, which had no established Church, and where the priest scarcely differed from other citizens, with the two-fold constitution of early Christian society. The fact of the contrast is undoubted and rests upon two causes. One of these is the sharp antagonism of Christianity to the world which it regenerated. Other religions were local, and reflected the institutions and thoughts of the countries in which they were developed. But Christianity spread from a small province of the Roman empire over nations that differed from one another in population, polity, and tone of life. The gospel proscribed unsparingly both the bloodshed on which the imperial dominion was founded, and the traditional vices of the upper classes. Its preachers went further, and declared the intellect and civilization of Rome anathema. For centuries there was no thought of compromise between the Church and

actualities. The best men desired not so much to make the State Christian as to create a separate world outside secular society. The miseries of the times when the empire was breaking up, and the constant expectation that Christ was coming in person to judge the world, favoured this disregard of temporal monarchies. "Watch and pray, for ye know not at what time the Master cometh," was the thought that guided the conduct of early Christians. By the twelfth century these feelings had partially passed away. New nations had arisen, and a cheerful faith in actual life replaced the hope of a millennium. But nothing could now bridge over the separation of Church and State, whose rival fabrics had been built up by theorists of the cloister, and warriors roughly completing the legal traditions inherited from their fathers. That the State ought to assist, perhaps to obey the Church, was felt generally. But that citizenship might be Christian in itself was a theory yet undeveloped. Only its dim outlines can be traced in chivalry.

The other cause of the twofold organization of society lies in the wealth of thought, which the tribes that broke up Europe derived from Rome. Its laws of property and succession, its municipal constitutions, were as far beyond the actual legal training of Franks and Saxons in the fifth and sixth centuries, as the metaphysics of Plato and the logic of Aristotle surpassed their capacities of abstract thought. They felt the wonder and reverence of children for the civilization whose spoils they entered upon; and even where they retained their old customs, enriched them with a meaning derived from Rome or Greece. The philosophy of their times taught them to seek all truth in the mind. Habit and speculation thus conspired to create a belief in laws rather than in law-

givers. The fiction of a "natural law," and the vague truth that there was a divine order in the universe, found expression in a hundred theories of mediæval legists and schoolmen. But they dared not follow out their conclusions, and blend the two systems which they saw before them into one theocratic state. Under a pious king, Alfred or St. Louis, something like this union might seem to be realized. But no pope, however statesmanlike, were he Hildebrand or Innocent himself, could prevail against the logic of daily life, and the instinct of revolt against a commonwealth based on the destruction of moral liberty. Throughout the middle ages, therefore, Church and State remained separate, yet inextricably involved, like the real and ideal in common life. Each, in the same mechanical manner, was seeking to fence in society with some perfect system which should make error impossible. Each accumulated laws and legal fictions till mankind groaned under the burden laid upon it. The failure of both is now matter of history. But until the time was ripe for self-government in its widest sense and liberty of conscience, generation after generation went down to the grave, believing in the power of the mind to reproduce God's order in earthly government, and with the infinite elasticity of Omnipotence, to regulate the smallest as well as the greatest concerns of life. Existing legislation might be incomplete; but a higher tone, a subtler thought, a few more enactments, would surely complete the ideal fabric, that should be wide and deep as the actions and heart of man.

So strong a belief in systems might have petrified the growth of society. Spain is an instance of a country which developed the theories of the middle ages with all the appliances of modern civilization. The genius

of Cervantes, the heroism of nameless thousands who died on every possible battle-field under Don John or Alva, the devotion of Loyola and St. Teresa, have gilded, but could not arrest, the decay of the nation. Mediæval Europe was saved from this fate by the rudeness of its organization, by the vivid contrasts of Church and State, and by the large latitude which a power confident of its foundations can afford to leave to opinion. The two rival codes of law, the privileges of Church, barons, and towns, were so many standing protests against administrative unity. There was little fear, in the twelfth century, that the State would cease to be religious. The dread lest the Church should again separate itself from actual life might seem better founded. It was saved by the vastness of its empire. Its monasteries were the seats of learning, and the tonsure was a title to respect which the student could not dispense with. Hence the Church was another name for the learned professions. Architect, poet, painter, historian, philosopher, and grammarian, lawyer and physician, escaped from the plough or the service of arms by ministering at the altar.¹ No wonder if art was religious, when all its associations were sacred. In one respect, religion suffered by the services of men who often brought with them the secular tastes and passions of the world they professed to leave. But it gained in culture and breadth by occupying the energies of such thinkers as Abelard, Lanfranc, and Roger Bacon. Six centuries later, Abelard might have been an encyclopædist, Lanfranc a cabinet minister, and Roger Bacon

¹ Thus Faritius, abbot of Abingdon, was a physician, and apparently an architect, though so distinguished as an ecclesiastic that if it had not

been for his medical eminence he would have been made archbishop of Canterbury. Chron. Mon. de Abingdon, vol. ii. pp. 286, 287.

a scientific chemist. In default of these vocations in their own times, they did noble service to the world by reconciling its faith with the highest attainable thought.

At once systematic and universal, the Church occupied a very different domain in the twelfth century from that to which it is now confined. The tendency of modern devotion may be described as lyrical; it aims at expressing the inward communion of the soul with God, the experiences and thoughts of individual life. The Church of the middle ages was essentially dramatic. Its hymns were liturgical; and in the function of the mass, it represented the doctrine of the faith as a present reality. By a few changes of words and costume, the ritual was transmuted into those stately mysteries which dramatized Bible stories for the multitude. The gospel for the day, broken up into parts, and interspersed with church hymns, needed nothing more to make it attractive but the rich dresses which every great church possessed.¹ The peasant understood these appeals to the sense. Believing that he served God in his mirth, he used the one public building of his village for amusements which barely preserved a religious colouring. He learned to act in the solemn scenic performances. He joined in the wild revelry of the winter months, in the Feast of the Ass, when a donkey was brought into the choir, and the Feast of Fools, when dice were thrown on the altar, and the celebration of mass parodied. He saw the same contrasts of jest and earnest in art. The walls around him glowed with

¹ Wright's *Early Mysteries*, pp. 1-62. The vulgar buffooneries which Voltaire has ridiculed in the *Mysteries* belong chiefly (except in the

case of Hrotswitha's) to the later productions written in the vernacular, and at a corrupt period. Hone's *Ancient Mysteries*, pp. 1-72.

pictures of the patriarchs and prophets, and with all the incidents of the life that began in Bethlehem and ended on Calvary.¹ But here and there a corbel, or the decoration of a stall, embodied a satire on the priesthood, or represented the fiend himself grinning scorn in the holy place.² Precisely because it was profound, the faith of the middle ages could afford to jest with itself; and men who lived in a spiritual world, who prayed mostly on consecrated ground, who believed that the angels and saints were always round them, coloured every act of their lives indifferently with religion, as a Puritan in later times spoke of household matters in scriptural phraseology. If they did not speculate critically on doctrine, they realized intensely the history of Christ, and its bearings on human society. Their cravings for political reform were always justified by an appeal to religion. Every faculty of the soul, every day of the week, every feeling and thought, owed service to the Church, and found satisfaction within it. Is it wonderful that a century and a half intervened between Wycliffe and Luther?

The monasteries are sometimes spoken of as the ancient substitute for poor-laws. It would be truer to say, that in the middle ages a pauper's chance of relief rested on the duty of every Christian to give alms, and not, as now, on the right of every man to demand that support from his fellows which he cannot earn by himself. Naturally the calls of charity pressed chiefly

¹ "Parum putamus . . . nisi multicoloribus parietes picturis renideant." Malmesbury, lib. iv. p. 516. Texts of Scripture were sometimes painted up. Henry of Winchester, "Cathedralem ecclesiam . . . textis

philacteriis . . . ornavit." Ang. Sac., vol. ii. p. 421. Compare Milman's *Latin Christianity*, vol. iii. p. 487, note a.

² Martonne, *la Piété du Moyen Age*, pp. 105-117.

upon the clergy, and more upon rich corporations than on individuals. In a thinly-peopled country, where inns were few and far between, the obligation to entertain strangers was felt more generally than can now be the case in England. But with all these allowances the efficiency of the Church as an antidote to pauperism cannot be rated very high. The doctrine that it is more blessed to give than to receive may be misinterpreted so as to promote mendicancy, and create the evil it ought to stem. Except for the rigid frank-pledge system, all England would have been overrun with vagrants in the twelfth century, as it was in the fifteenth. But a large vagabond population may subsist where the working poor are ill off. An ordinary cottager might easily live so far from a monastery as not to feel its influence, at a time when roads were bad and communication difficult. Even if he were in its neighbourhood, he might find that its resources were spent in maintaining its own state, in grandiose architecture, or in entertaining the nobles who passed that way. Charity was only one of many objects which even a pious abbot might care to promote. Fasting and prayer were the real occupations of men who had retired from the world, and the adornment of a shrine, or the carving of an oriel, were more attractive methods of serving God, than the relief of indigence. The splendid buildings of the middle ages were chiefly, no doubt, due to the system of labour-rents; but Caen stone, painted glass, and gilding, involved an actual expenditure of money. Accordingly, in the thirteenth century, an impulse of strong enthusiasm created the mendicant orders, to combat the misery and ignorance which had grown up under the walls of church and cloister. Yet the monasteries subserved several economical purposes. They

were improving landlords, at a time when the nobles cared rather to raise men-at-arms than cattle or crops. They were easy landlords, from the tendency of all corporations to respect vested interests. They were the great granaries of the kingdom, at a time when it was unsafe for individuals to incur the suspicion of forestalling or regrating. Their estates were comparatively safe, under the shadow of church censures, from the risks of war which fell upon private property; so that convent-gardens and orchards were early famous for their thick turf, flowers, and secular trees. These may seem small benefits, but perhaps they are more real than the visionary system of indiscriminate doles would have been.

A few incidental notices enable us to form an idea of social life among the middle and lower orders in the twelfth century. London was even then pre-eminent among English towns. The high houses that lined the long narrow streets were partly the abode of nobles who came to attend the court, partly of merchants. There were thirteen conventual, and a hundred and twenty-six parish churches. A long suburb lined the side of the Thames from Temple Bar to Westminster, but it cannot have stretched far to the north, for the men of London and Westminster played football in the fields that lay between. Country-houses and gardens studded the country round the walls, and further still were forests, in which the citizens hunted and hawked. To a stranger, the only drawbacks on residence were the frequent fires and the curse of drunken riots: rich young men would scour the streets at night, molesting the citizens. But sharp justice sometimes overtook the offenders. The justiciary, Richard de Lucy, hanged a ringleader in these disorders, although he was the son of

an eminent citizen, and offered a fine of five hundred marks for his life. A Jew, trying to inveigle a Christian, is represented as telling him that all the wickedness of the world was to be found in London: the gambling-house, the theatre, and the tavern; troops of parasites, beggars, and sorcerers. There is a brighter side to the picture. The citizens were famous for their hospitality. Intercourse with strangers refined their manners. The city matrons were modest, and the city schools frequented by diligent scholars. Above all, it was "Merry England" in those days; and in the metropolis, cock-fights, bear-baits, and bull-baits, boat and horse races, games at ball, water tournaments and skating, were among the amusements of holidays and the carnival.¹

It is probable that London was exceptionally rich. Yet a traveller in the country, if he could not expect to find a restaurant like that on the banks of the Thames, which satisfied every want, and seemed to its chronicler to realize Plato's dreams, might at least count upon clean sheets, upon wine or ale, and substantial if homely fare.² The varieties of fancy bread known in London cannot have been common elsewhere: the men of Norfolk were derided for not knowing wheat when they saw it, and the worst loaf baked, "fourths," would barely sustain life.³ The police regulations of London,

¹ Fitz-Stephen, *Vita Becket*, vol. i. pp. 172-181; Ric. Div., pp. 60, 61.

² Palgrave's *Rot. Cur.*, vol. i. p. xxxvi. Bristol was famous for soap in the twelfth century. Ric. Div., p. 62. The teeth were cleaned with sops of bread. Schol. *Salern.*, cap. 54. Compare Paulus *Ægineta*, c. 23. De Val. Tuend.

³ *Liber Albus*, pp. 349-359;

Wright's *Early Mysteries*, pp. 82, 93, 94. The "*assisa panis*" recognizes five kinds of bread; Wastel of one kind, Cocket of two kinds, Simnel and Treet. The bread of the least value appears to have been made "*de omni blado*," the loaf of which was twice the weight of the greater cocket. Hale's *Domesday of St. Paul's*, p. cxxxiii.

and the stories and proverbs in which millers figure, prove that adulteration was usual. The monks of Christ Church, Canterbury, could entertain a stranger with sixteen courses and several kinds of wine, as well as the beer, for which their city was famous; and the monks of St. Swithin's, at Winchester, complained to Henry II. of an ascetic abbot who had restricted them from thirteen courses to ten.¹ But the king himself was contented with three courses; and it is impossible to argue from rich foundations to the habits of life in the farm-house or the hovel. Butcher's meat cannot have been common, when markets were scarce; when meat was salted for winter in default of stall-feeding, and when cottagers looked chiefly to their own pigs and poultry for a supply. But the real evil with respect to food lay in the constant fluctuations of price. The mean price of the quarter of wheat was about £3 during the twelfth century; in A. D. 1196 it rose to £42 15s.; and in the next year to nearly £60.² What misery these fluctuations represent may be fairly guessed by those who have seen what the country endures with a rise of one hundred per cent. Dysentery and "black deaths" swept off their thousands in the middle ages, or left them with weak constitutions to battle against scrofula and leprosy. These evils were increased by the people's mode of life. The frequent fires, and such words as "bower" and "lobby," show that wood was the common material of houses. The enactment of the

¹ Gir. Camb., *De Rebus a se gestis*. Lib. ii. c. 5.

² *An Inquiry into the Price of Wheat, &c.*, p. 8. I have multiplied the nominal prices by twenty. A curious instance of the growth of the modern mercantile spirit occurred

in the second year of famine, A. D. 1197, when some English ships provisioned St. Valeri, during the war with France. Richard I. burned the ships and hanged the crews. Wendover, vol. iii. p. 121.

council of Northampton, that heretics' houses should be carried out of town and burned, is a picture in itself of the low booths in which peasants' families herded.¹ A settle and a pot were in all likelihood its only furniture. Among the rich glass windows were coming into use,² but chimneys were unknown; woven fabrics were too costly for common use; and the very palace of Becket was strewn with rushes. The sheepskin was the dress of the poor as the catskin was of the rich;³ a night-shirt was a luxury and appurtenance of gentility,⁴ and even a king might habitually go ungloved.⁵ The river's edge was the natural place where the poor, wanting water and without fountains, would build. Poisoned by marsh exhalations, wasted by ague and skin-disease, huddled together in cabins, smoke-dried, gross eaters and uncleanly livers, the peasants were those on whom disease fell heaviest. That a nation thus circumstanced should have been able to perpetuate itself seems won-

¹ Compare the account in the life of St. Hugh of the peasants who, being evicted, have their cottages given them. Some break them up and sell the material, while others transport them elsewhere to be inhabited again. *Vita S. Hugonis*, p. 70. Probably they were made, as is often the case in Norway, without nails.

² Neckham, *De Naturâ Rerum*, p. 103. Compare the "vitreas dormitorii facit (sc. camerarius)" *Lanfranci Opera*, vol. i. p. 151. For the use of mirrors, see Neckham, p. 239.

³ Knyghton; *X Scriptores*, c. 2367. *Chron. Mon. de Abingdon*, vol. ii. p. 273. Martin-skins, rabbit-skins, and squirrel-skins seem also to have been used. *Liber Albus*, vol. i. pp.

xxxi. 225.

⁴ "En tant l'avoit luxure esprise, Tute nuit ert en sa chemise." *Grosseteste, Vie de S. Marie Egyptienne*, p. 73. Compare the *Liber Albus*, vol. i. p. xcii. Sometimes drawers were worn in bed. "Thalamum in quo jacebat nudus omnino præter femoralia." *Wendover*, vol. iv. p. 117.

⁵ "Manuum cultum prorsus negligit (sc. Henricus II.) nec unquam nisi aves deferat, utitur chirothecis." *Petri Blesensis Epist.* 66, ad Abp. Panormitanum apud Carusium, vol. i. p. 494. Compare Lanfranc's rule for his monks travelling (*Opera*, vol. i. p. 162), "inchoatâ horâ . . . a manibus chirothecas auferant."

derful. The reason no doubt lies partly in that strange reparative power of nature, which meets a sudden drain by increased fertility, and partly in the fact that only the healthy and vigorous lived to become parents. The puny, scrofulous child had little chance of growing up. Famine took the weak man, and the strong struggled through it. The imperfect science of the times did not help the sickly to lengthen out life, or transmit it through a series of wretched generations.

These facts point to the conclusion that the domestic habits of our ancestors were more like our own than is commonly supposed, but that they were far below us in material comfort and the enjoyment of health. The introduction of cotton, the substitution of sugar for honey, even of lucifer-matches for flint and steel, are additions to general well-being, which no sensible man will undervalue. Still they do not make up the sum of life. To a certain extent, the growth of comfort has thriven upon the decay of art. The ostentation of wealth, which once decorated a house with carved oriels or a stately porch, is now diverted to dress, furniture, and dinner-parties. The public spirit which built a guildhall or a church is as unselfishly employed on soup-kitchens and model lodging-houses. The scientific tendencies of our time have substituted a vivid appreciation of material wants for mediæval idealism, and chemists, engineers, and astronomers have replaced the metaphysicians and artists of the middle ages. In a certain sense, no real progress can be one-sided. But a generation, or even a century, may attach itself so exclusively to facts as to lose its sense of a spiritual life. The very perfection of our mechanical arts absorbs the faculties and stunts the nature of those who work at them. A man who labours his ten hours a day at making the

head of a pin is likely to be less educated, even though he can read or write, than the mediæval peasant, who was forced to ply several trades from the want of skilled craftsmen, who might serve as a soldier in Normandy or Ireland, who was bound to understand something of the subtle laws under which he lived, and whom the influences of his church trained to a sense of colour, music, and architecture. The great principle, that in proportion as society is simple the individual will be many-sided, is truest of the higher classes. Such a bishop as Roger of Salisbury, who fought in the field, acted as justiciary, was architect and engineer, and administered a diocese, was assuredly the more capable man, if he was not the better churchman, for these qualifications. Pass to thought, and the same fact repeats itself. All knowledge in the middle ages was encyclopædic. It started from a few principles, it embraced comparatively few facts, and a single lifetime was sufficient to comprehend it. Scholars in special sciences have replaced the universal monarchs of learning. The belief that all knowledge is connected by certain first principles is still possible. But no man now can believe in his own power to codify all thought and harmonize the contradictions of facts. We are richer by solid experience, and only poorer by a dream, but it was a dream that gave beauty and dignity to the life of Roger Bacon.

It is in their finer perceptions of moral beauty and greatness that the apology of the middle ages must be found. They were times of rough men, building up order and law by painful efforts rather than by harmonious insight, and often dragging the fabric out of shape by its buttresses. The excessive legislation of Church and State produced a harvest of rank and habitual

crime, which can only be paralleled in a few exceptional phases of modern history. The early proscription of pagan thought confined all but a few schoolmen and legists to the literature of their own times, so that Tacitus was supplanted by Bede, Alexander transformed into a knight-errant, and Virgil thought of as a magician. The great forms of Greek art, the epic, the tragedy, and the idyll, were without influence on the *trouveur* or writer of *gestes*. Yet, if their structure is often cumbrous and grotesque, the mediæval romances are none the less informed by a higher ideal of life, than the Greek or Roman discerned. Achilles, dragging his enemy at his chariot-wheels, the capture of Troy by a perjury, the pitiless courage of Ulysses or Æneas disappear from Christian art, as the wholesale massacres of a Cæsar or the scenic butcheries of the amphitheatre were effaced from the practice of European society. The Greek nemesis that avenged the exaltation of wealth or power was replaced by the orderly retribution of God's laws upon sin; Œdipus or Meleager by Arthur or Lancelot; and that conception of a feud between man and God, which the passion of Prometheus displays, disappeared for ever before the story of the gospels. By its very want of subtlety, by its incapacity to analyze, the mediæval mind was all the more trained to comprehend broad effects, and to distinguish good from bad. It had no moral twilights in which forms of good and evil blended into one; all was rigid and statuesque. If the grosser side of life found expression in coarse *Fabliaux* and a *Decameron*, even these were as far raised above Longus and Apuleius as above the sentimental school of later centuries, from Rousseau downwards. The chivalrous conception of a gentleman, which embodied the active duty of resistance to evil in curious

opposition to theological dogmas of passive submission, is now gradually disappearing from society. Yet those who regret it least will probably admit, not only that it was an advance on all inherited notions of culture and breeding, but that it did good service to the world at a time when law had no meshes for the strong.

Even our advance in science, real and great though it be, is not absolute. Superstition and intolerance are as enduring as human weakness. Those who have watched the monstrous development of Mormonism, and know that the population of Utah is chiefly recruited from England, Wales, and America, may be pardoned if, for a moment, they envy the uncritical faith that never wandered out of its immature Christianity. Those who see the upper classes, the contemporaries of Mill and Faraday, believing by thousands in spirit-rapping and table-moving, may well turn reverently to the *Acta Sanctorum*. Often puerile, sometimes gross, sometimes even un-Christian, the legends of the mediæval saints are only illustrations of a rational faith in God's personal character and intervention: they do not contradict the philosophy of their times. The laws of causation and gravitation had not then been developed by an illustrious line of thinkers. Yet, although a contrast like this may teach us to boast less confidently of progress, it is really in our favour. The master of ancient thinkers was as credulous in the region of the supernatural as his pupils. Among ourselves there is a constantly-widening circle of the enlightened, which restrains the half-educated world from relapsing into barbarism. The same argument applies to toleration. The spirit that branded bishop Butler and Burke as concealed papists, that instigated the burning of Priestley's house, and deprived Shelley of

his children, is not less deplorable in itself than the violence that massacred Jews or headed a crusade against the Albigenses. But the belief that persecution is the witness of earthly power to God's truth unhappily darkened the noblest minds of the middle ages. A few, chiefly among the clergy, protested against it, but the greatest kings of Europe, St. Louis and Edward I., thought it right to anticipate future judgment upon earth. Among ourselves there is still, no doubt, a torpid mass of bigotry, but it is restrained from all but occasional outbursts by the righteous principles that long experience has worked into the public sense of Europe. The few active fanatics that still exist within the four seas number not a single statesman or man of learning in their ranks, and owe their power of annoyance to unscrupulous slander and immoral political partizanship. One by one the persecuting statutes, which Calvinism developed from precedents in the last worst times of the Mediæval Church, are disappearing from the English Statute Book.

Until the middle ages are examined with a little of that care which is freely lavished on Greek and Roman antiquity, it will be difficult for all but students to understand the singular fascination of centuries when the new life of a new world was dawning. There is a completeness about the classical epoch which no later period can reproduce. The politics of Athens and Rome were scarcely traversed by religious influences, and their statesmen never halt between two opinions. The strife of old and new was so imperceptible, that the philosopher, who, more than any other, substituted a higher faith for the worn-out mythology, enjoined in his supreme agony a conventional sacrifice to an inferior god. The subtler sense of modern times that finds

beauty and repose throughout nature was perhaps wanting to the Greek, but his human appreciations were more complete; he saw only the charm of outline and luxuriance of growth, where the Christian started back from the traces of sin; and the marble was life-like under the sculptor's hands, because tree and fountain and stream were instinct with a spiritual humanity. Moreover, Time, who is a great artist, has taken away whatever was gross and perishable in the work of those sensuous generations, and left the better part in the serene light of immortality. We see their temples without the smoke and revel of Cotyttian orgies, and think of their statues without inlaid ivory or gaudy colouring. But we have not thus risen above the middle ages. Their laws are behind us and around; their faith suffers by comparison because we have partly changed it; and while the classical enthusiasts who have offered garlands to Jupiter in modern times only serve to point an epigram, the man who looks back towards St. Louis or Dante, is suspected of wishing to bind the world's chariot-wheels. The middle ages will be estimated more fairly as it becomes increasingly certain that they can never be restored. Contrasted with ancient society they want the genuine scientific spirit that produced treatises like the *Politics* and elaborated an organic system of law; their literary art is commonly overpowered by its material; and in statuary and music they added nothing to the world's wealth. But if they explored no new regions in abstract thought, they harmonized philosophy and faith with a success that has never yet been rivalled: they produced one poem—the *Divina Commedia*—which is deep and various as the many-coloured humanity it reflects; and they had an undergrowth of romance and religious legend which for moral insight and play of

fancy may compare with any mythology. They carved dreams in stone, and lighted up the church walls or the missal with a lavish wealth of portraiture. Trammelled by the imperfect science they had inherited, they yet created chemistry, applied it to war with terrible results, and at last introduced the new order in which they passed away by an invention to multiply the learning they craved for. The science of banking and the laws of commerce are of mediæval origin. Even greater has been the influence of these times upon society. The gladiator, the parasite, and the slave have disappeared. The vulgar riot and debauchery, which scarcely disgraced an Alcibiades or a Cæsar, have been exchanged for the higher ideal of a Bayard or a Sydney. In one respect the conditions of early life favoured an exceptional eminence in individuals. A William the Conqueror or Simon de Montfort could leave his mark more visibly upon society than a modern sovereign or statesman who rather adjusts rival forces than controls them. The advance of general intelligence has, in this instance, taken away a picturesque feature of history. And as we are the poorer by a little hero-worship, we have also gained by experience a certain distrust in systems as an education for humanity. We no longer conceive law as penetrating human life in every direction, or attempt to school the citizen in his daily work, or in morality and faith. No one thoroughly realizing the comprehensive links of mediæval police, or the full extent of regulations which bound the peasant to the soil, controlled the mechanic at his trade, and imposed recognized limits on speculation, can believe that such an order will ever again be possible till the course of the world be arrested. Yet the spectacle of child-like men working out their political Utopia, and building up

painfully again as the baseless fabric fell down, is not without its teaching or its interest for our own days. We can look back on it as the old man reverts to the day-dreams and aspirations of youth, rather wondering at the buoyant energy that imagined or attempted, than contemptuous of the unsubstantial design that failed.

APPENDIX A.

LIST OF LATIN WORDS IN ANGLO-SAXON.

| | | |
|----------------|------------------|-------------------|
| Ceaster, | Castrum. | Camp. |
| Port. | Portus. | Port. |
| Stræt. | Strata. | Street. |
| Weall. | Vallum. | Wall. |
| Mur. | Murus. | Wall. |
| Tempel. | Templum. | Temple. |
| Scolu. | Schola. | School. |
| Cite. | Civitas. | City. |
| Municep. | Municipium. | A borough. [ber. |
| Solere. | Solarium. | A summer-cham- |
| Carcern. | Carcer. | A prison. |
| Ceap. | Cippus. | The stocks. |
| Camp. | Campus. | A field. |
| Æcer. | Ager. | A sown field. |
| Munt. | Mons. | Hill. |
| Funte. | Fons. | Fountain. |
| Lac. | Lacus. | A lake. |
| Baron. | Vir, varo. | A man. |
| Meowle. | Mulier. | Woman. |
| Femne. | Fœmina. | A virgin. |
| Wencle. | Ancilla. | Maid. |
| Wydewe. | Vidua. | Widow. |
| Sutere. | Sutor. | Cobbler. |
| Sol. | Solea. | A sole or sandal. |
| Mangere. | Magnarius. | -monger. |
| Scol-mægistre. | Scholæ magister. | School-master. |
| Mynet. | Moneta. | Mint. |
| Pund. | Pondus. | Pound. |
| Mytte. | Modius. | A bushel. |

| | | |
|-----------|------------------|-----------------|
| Eln. | Ulna. | Ell. |
| Ince. | Uncia. | Ounce. [called. |
| Sester. | Sextarius. | A measure so- |
| Mil. | Mille (passuum). | A mile. |
| Carta. | Charta. | Paper. |
| Pinn. | Penna. | Pen. |
| Line. | Linea. | A line. |
| Circol. | Circulus. | A circle. |
| Demm. | Damnum. | Damage. |
| Profian. | Probare. | To prove. |
| Wed. | Vadium. | A pledge. |
| Segn. | Signum. | A sign. |
| Coc. | Coquus. | Cook. |
| Cycene. | Coquina. | Kitchen. |
| Disc. | Discus. | Dish. |
| Orc. | Urceus. | Pitcher. |
| Tæfl. | Tabula. | Table. |
| Tæpped. | Tapes. | Tapestry. |
| Setl. | Sedile. | Seat. |
| Synder. | Cineres. | Ashes. |
| Cyse. | Caseus. | Cheese. |
| Ele. | Oleum. | Oil. |
| Eced. | Acetum. | Vinegar. |
| Win. | Vinum. | Wine. |
| Ostre. | Ostreum. | Oyster. |
| Cancer. | Cancer. | Crab. |
| Candel. | Candela. | Candle |
| Cyl. | Culeus. | Sack. |
| Cyste. | Cista. | Chest. |
| Amber. | Amphora. | Pitcher. |
| Ampulle. | Ampulla. | Bottle. |
| Lotha. | Lodix. | Cloak. |
| Socc. | Soccus. | Sock. |
| Ongul. | Angulus. | Hook. |
| Palistas. | Balista. | Balista. |
| Corther. | Cohors. | Company. |
| Pil. | Pilum. | A dart. |
| Cræsta. | Crista. | A crest. |
| Seam. | Summa. | A burden. |

| | | |
|------------------|-----------------|-----------------|
| Geoc. | Jugum. | Yoke. |
| Calc. | Calx. | Lime. |
| Tem. | Temo. | Team. |
| Spad. | Spata. | Spade. |
| Fann. | Vannus. | Fan. |
| Culter. | Culter. | Coulter. |
| Forc. | Furca. | Fork. |
| Mæth. | Messis. (meto). | A mowing, math. |
| Pic. | Pix. | Pitch. |
| Fræne. | Frænum. | Rein. |
| Cæfester. | Capistrum. | Halter. |
| Ær, es. | Æs, æris. | Brass. |
| Tigol. | Tegula. | Tile. |
| Ancer. | Anchora. | Anchor. |
| Citere. | Cithara. | A harp. |
| Ort-geard. | Hortus. | Garden. |
| Rose. | Rosa. | Rose. |
| Lilie. | Lilium. | Lily. |
| Pionie. | Pæonia. | Pæony. |
| Peru. | Pyrus. | Pear. |
| Cirse. | Cerasus. | Cherry. |
| Fic. | Ficus. | Fig. |
| Cysten-(beam). | Castanus. | Chestnut. |
| Persoc-(treow). | Persica. | Peach. |
| Mor-(beam). | Morus. | Mulberry. |
| Laur-(beam). | Laurus. | Laurel. |
| Magdala-(treow). | Amygdala. | Almond. |
| Pin-(treow). | Pinus. | Pine. |
| Bux. | Buxum. | Box-tree. |
| Lin. | Linum. | Flax. |
| Pipor. | Piper. | Pepper. |
| Cipe. | Cæpe. | An onion. |
| Cucumer. | Cucumis. | Cucumber. |
| Croh. | Crocus. | Saffron. |
| Hænep. | Cannabis. | Hemp. |
| Cawl. | Caulis. | Cabbage. |
| Næpe. | Napus. | Turnip. |
| Rædic. | Radix. | Radish. |
| Sin-fulle. | Cinquefolium. | Cinquefoil. |

| | | |
|---------|------------|----------|
| Mul. | Mulus. | Mule. |
| Mul. | Mullus. | Mullet. |
| Pawa. | Pavo. | Peacock. |
| Stemn. | Stemma. | Stem. |
| Purpur. | Purpureus. | Purple. |
| Crisp. | Crispus. | Crisp. |
| False. | Falsus. | False. |

Several of these words were noticed by Mr. Wright in his "Domestic Manners and Sentiments of England." From thirty to forty more have been derived from a list appended by Mr. Coote to his "Neglected Fact in English History." The remainder I have extracted from Bosworth's Anglo-Saxon Dictionary, omitting words like *pæll*, *pallium*, that may have been derived through an ecclesiastical channel. Several words are of doubtful use by Anglo-Saxon writers, and in all likelihood died out early, every language having a tendency to throw off exotic forms. Meanwhile, imperfect as the present list is, it will serve to attest the permanence of Roman influences in Britain; and I think to demolish the theory that "Chester" and "street" are the only words left in the language from Roman times.

APPENDIX B.

ON THE HIDE.

THE amount of land contained in the hide has often been matter of dispute. Mr. Kemble estimated it at from thirty to thirty-three acres; Sir H. Ellis thinks it "contained no certain number of acres;" Mr. Morgan quotes instances of variation from sixty-four to three hundred and sixty acres; and Mr. Coote considers that "at all times the hide was a settled and defined quantity of land; for though the number of its acres varied it expressed the same quantity."

It may first be noticed that the word *hide* means not a

measure but a family. Our earliest authority, Bede, says that the Isle of Wight contained twelve hundred familiæ or hides; the Isle of Thanet six hundred, and Sussex seven thousand. Mr. Kemble shows that the whole acreage of these districts, allowing for waste and wood, will not give more than from thirty to thirty-three acres to the hide. Nor will this argument be much affected if we assume Sussex to have included part of Hampshire, as Mr. Kemble has, I think, underrated the Andreds Forest.

Mr. Kemble proceeds to quote instances of districts with their hideage from the "Codex Diplomaticus." These seem to me unreliable. We cannot be sure that the old name covered the same acreage as the present, and the argument from proportion, valuable in a district or province, breaks down in an estate or parish, where the proportion of enclosed land may easily have been large. Such words as "ad Sunningwellam xv. manentes" do not necessarily mean fifteen hides in the present parish of Sunningwell. In the case of Chertsey, where the estates enumerated in the spurious charter from which Mr. Kemble takes his estimate (Cod. Dip., 987), reached from Cobham to Egham, and from Thorpe to the Thames, almost any calculation must be conjectural, and my own would be higher by one third, if the charter could be proved only to refer to the estates of Egham, Thorpe, Chertsey, and Cobham. But, in fact, another and genuine charter tells us that there were forty, not two hundred, hides on the four properties in question, and makes up rather more than the two hundred of the forged document by a list of properties in other parts, such as Mitcham and Laleham (Cod. Dip., 812).

Domesday Book, then, is our next great authority. Before taking its estimates we have to consider whether Mr. Kemble be right in saying that "the wood, meadow, and pasture were not included in the hid or arable, but were appurtenant to it." The enactment in Ine's laws (s. 64), "He who has xx. hides shall show xii. hides of cultivated land when he wishes to go away," seems to imply that the hide might legally contain at least two-fifths that were not plough-land. Two passages in the Domesday of Essex appear decisive. The first (Domesday, ii. f. 55, b.) says, "Wigheburgham tenuit Goti

liber homo pro vii. hidis terræ et unâ silvæ." The second (Domesday, ii. f. 94) says, "Pettendunam, de his quinque hidis tulit Hamo dapifer lxxx. acras de arabili terrâ et cc. acras de marisco." It is true, as Mr. Kemble has abundantly shown, that an estate often had land attached to it independent of the hide, and serving for pasture or wood. This had probably, in the first instance, been commonage in the uninclosed lands. Gradually it had passed into property. Mr. Kemble himself suggests this explanation though he did not apply it. "The lot of meadow and pasture attached to these small plots of one ager is so frequently quoted at thirty agri in Cornwall, that one could almost imagine an enclosure bill to have been passed just previous to the Conquest." But in fact there had been a right of enclosure from the first. Ine's laws (s. 42) recognize the case, "if ceorls have a common meadow or other partible land to fence and some have fenced their land, some not," &c.

Some passages in Domesday Book seem to refer to the acreage of the hide. Two instances occur in describing the lands of Ranulf Piperell in Essex; one estate being spoken of as "nine hides and eighty-two acres;" another has half-a-hide and thirty acres (Domesday, ii. f. 72 a, 75 a). On the land of Robert Malet a property is said to contain a hide and a-half and fifty-two acres (Domesday, ii. f. 88 a). An often-quoted passage in the Domesday of Kent says, "In communi terrâ Sti Martini sunt cccc. acræ et dimidia quæ f(ac)iunt duos solinos et dimidium." I understand by this that the sowling or Kentish hide was equivalent to one hundred and sixty and one-fifth acres, which may have been the old Roman acre, from one-fourth to one-third less in quantity than the English.¹ These notices seem to indicate a measure of one hundred or one hundred and twenty acres. Now the *Dialogus de Scaccario*, an official document of Henry II.'s time, declares the hide to contain a hundred acres. There is also much evidence to prove that the virgate was a fourth of the hide, and was itself of about thirty acres in extent. If three hides could maintain thirty-seven free men; and if a tax of six

¹ For an excellent statement of different measurements of the sowling, see Elton's *Tenures of Kent*, 132-138.

shillings the hide was possible under the Conqueror, we must, I think, assume that it contained more than thirty acres at the time of the Domesday Survey. What it was must have been known with exactitude if it was the measure of taxation. In fact, we read in the *Codex Diplomaticus*, Append. 461, "In Stræt are twelve hides, twenty-seven yards," and in the *Buckinghamshire Domesday*, (vol. i. f. 145,) "a hide all but five feet," as if singular precision of measurement were aimed at. But there may, none the less, have been local differences, to which the assessments were adjusted by the sheriffs.

Mr. Kemble's next argument rests on the hideage of the counties. He takes the hides from a MS. of Henry III. and finds that they contain acreage in a ratio of 25 to 51 out of the whole superficial extent. "This would a little exceed the present ratio, which is 5 to 11, a result which appears very improbable indeed in the reign of Henry III." But (1) the improbability is based on the untenable assumption that the hides consisted entirely of arable land, and (2) the amounts stated in Mr. Kemble's text are often in excess of those given in Domesday. For instance, if we take the hideage and acreage of four counties for which we have data we shall find them stand thus:—

| | Hideage in Domesday. | In Kemble. |
|------------------|----------------------|---------------|
| Bedfordshire | 1160 | 1200 |
| Huntingdon | 742 | 800 |
| Northamptonshire | 2664 | 3200 |
| Wilts | 3822 | 4800 |
| | <u>8388</u> | <u>10,000</u> |

Professor Rogers is of opinion that the amount of land under the plough was not materially smaller in mediæval times than now, the system of fallows and the smaller yield of the seed obliging the farmer to break up a much greater area in proportion than is now required.¹

I conclude, then, that there were two hides (besides the so-called double and triple); the first, or Bede's, being probably of twenty-five to thirty acres; the second, that prevailed generally in later times, being of one hundred to one hundred and twenty

¹ See some pregnant suggestions in the *History of Agriculture and Prices*, vol. i. pp. 55, 56.

acres; probably the English hundred reckoned at one hundred and twenty (Domesday of Lincoln, vol. i. f. 336). I think it possible that the first may have been the qualification of the *decurio*, and the second the estate of the *equus*. These being fixed quantities might naturally be a common limit of estates and be adopted as such by the Saxons. It is conceivable that Bede's hide was the virgate of the Domesday measure. On a rough estimate, from Mr. Kemble's thirteen counties corrected by Domesday, we may perhaps assume that there were 90,000 to 100,000 hides in England under the Conqueror, which increased from ten to twenty per cent., or to about 112,500, by Henry III.'s time, when the lists quoted by Mr. Kemble were made. Of these a large number, perhaps as many as forty per cent., must have been exempted from Dane-geld as the demesne lands of lords, knights, and churches; though I do not feel certain how far mere knights were thus privileged under the Conqueror.

APPENDIX C.

FATE OF THE NATIVE ENGLISH NOBILITY AFTER THE BATTLE OF HASTINGS.

Killed, imprisoned, exiled, or deprived of their lands.

EDWIN, earl of Mercia, son of Alfgar, earl of Mercia, assassinated during the Northern rebellion, A. D. 1071.

Morcar, Edwin's brother, earl of Northumbria (Sim. Dunelm., c. 204), rebels, is taken, A. D. 1071, and imprisoned for life.

Waltheof, earl of Huntingdon, son of earl Siward of Northumbria, is beheaded, A. D. 1075.

Cospatric, grandson of Uchtred of Northumbria, and earl of that province for a short time under William, retires into Scotland, about A. D. 1072.

Brictric, great-great-grandson of Edward the Elder, deprived of most of his property, and said to have died a prisoner in Winchester.

Siward Barn, perhaps brother to Brictric (Ordéric, vol. ii. p. 416, note 4, ed. Prevost), implicated in the Northern rebellion and imprisoned.

Wulfnoth, brother of Harold, imprisoned for life.

Ulf, son of Harold, imprisoned till William's death.

Osulf, earl of Northumbria beyond Tyne in Morcar's place, dispossessed by William's orders, and killed by a robber.

Ansgar, son of Tovi le Pruda, and governor of London, A. D. 1066, probably dispossessed of his lands (Kelham says imprisoned), the Normans accusing him of treacherous negotiations, sub-tenant, however, of two manors in Suffolk.

Egelnod, "Cantuariensis satrapa," taken hostage into Normandy, A. D. 1067; flies into Denmark; (Palgrave's *England and Normandy*, vol. iii. p. 564).

Merlesven, vice-comes (Ellis), flies into Scotland, circa A. D. 1067, and joins the invasion of the North.

Archil, potentissimus Nordanhymbrorum, joins the Northern rebellion, is once admitted to terms (Orderic, vol. ii. p. 185), rebels again and is deprived of all his lands (Sim. Dunelm.).

Edric, rector navis to king Edward, is outlawed and flies to Denmark. (Domesday, vol. ii. f. 200).

Serve the Conqueror.

Eadnoth Stalre, ealdorman of Somersetshire, is killed fighting against Harold's sons.

Copsi, sheriff under Tostig, made, by William, earl of Northumbria beyond Tyne, is murdered by Osulf, Morcar's former deputy, A. D. 1067.

Liulf, married to a daughter of Aldred, retains his vast possessions and rank, is murdered, A. D. 1080.

Wigod de Wallingford, surrenders Wallingford to William and dies soon after, his daughter inheriting from him.

Robert Fitz-Wimar and Sweyn, his son, retain their estates. (See p. 380, note 1).

Richard Fitz-Scrob, or Scrope (a Norman settled in England before A. D. 1052), and Osbern, his son, probably the "Hesbernas regis consanguineus" in the Waltham charter of A. D. 1062. The latter is tenant-in-chief in six counties in the Domesday Survey.

Randulf Peverel (Duchesne, *Script. Norman.*, p. 1020), a Norman settled in England, T. R. E.; owns land in four counties, T. W. C.

Rebel, are admitted to terms and partially restored.

Eadric the Wild, cousin once removed of Harold, is last heard of accompanying William in his Scotch campaign of A. D. 1072. From a legend in Mapes (*De Nugis Curialium*, p. 81) he seems to have died a natural death, and to have been succeeded in his lands by his son Alnod.

Hereward, son of Leofric of Brunne, see pp. 366-368.

The four sons of Karl, a Northumbrian noble, partially restored by William, are murdered by Waltheof, circa A. D. 1072.

Various or uncertain.

Alfwin, son of Norman, joins the Northern rebellion; his fate is unknown.

Bundi (*regis palatinus*, Waltham charter) held land in seven counties, T. R. E.; owns none, T. W. C.; perhaps killed at Hastings.

Brixī, princeps (*Cod. Dip.*, 813), held land in seven or nine counties, T. R. E.; owns none, T. W. C.

Dodo, princeps (*Cod. Dip.*, 813), held lands in ten counties, T. R. E.; is sub-tenant in Cornwall of the earl of Mortaine, T. W. C.

Aldred, comes (*Sim. Dunelm.*, c. 210), brother of Siward Bran (*Orderic*, vol. ii. p. 166). Probably the Eldred who held in seven counties, T. R. E., and was king's thane in two and sub-tenant in three others, T. W. C.

Turchil de Limis (*Orderic*, vol. ii. p. 166), held in seventeen counties, T. R. E., and in six, T. W. R.

Liulf, married to a daughter of Aldred, murdered. (See p. 371).

Edwin the Dane, king's thane, with lands in Norfolk and elsewhere, T. R. E.; partly dispossessed by Gul. Pincerna and William de Warenne. King William orders him to be reinstated, but the warrant cannot be executed. Phillips' *Englische Rechtsgeschichte*, Band i. s. 92.

Edric Stirman, the bishop of Worcester's substitute in military matters, transferred to the bishop of Hereford (Ellis).

Ægelmundus, princeps (*Cod. Dip.*, 813), perhaps the Æge-

mund who held land in seven or eight counties, T. R. E., and in two, T. W. C.

Alwoldus, princeps (Cod. Dip., 813). An Alwold and an Alwoldus are mentioned in Domesday, each of whom seems to have held largely, T. R. E., and retained portions, T. W. R.

The last eleven names are possible cases of unjust deprivation, more or less violent. The list is far from being exhaustive for men of wealth. But I have only cared to insert historical names, or names of nobles who signed charters under the Confessor with the title of dux or princeps. Otherwise, especially with common names, it is almost impossible to identify the holders of lands. The editors of *Recherches sur le Domesday* speak of an Algar who held land in twenty counties, T. R. E., and preserved part of his lands, T. W. C., being sub-tenant among others to two of the Confessor's nobles, Sweyn of Essex and Turchil de Limis. But I know not how they are certain of his unity as they confess to fourteen tenants-in-chief of the same name. Similarly Sir H. Ellis enters lands in twenty-seven counties under the name of Godwin; but as there appear to be sixty-five other personages of the same name, distinguished only by titles (*e. g.* cild.) or by spelling (Godvine, Goduinus), I know not why the Godwin who retains his lands in Devonshire and Warwickshire as tenant-in-chief should be identified with the Godwin or Godwins who have lost them or died before the Domesday Survey. The names given above are a little more easy to identify; but even here it is quite possible that more than one Turchil or Eldred existed and have been confounded.

APPENDIX D.

ON THE RENTAL OF CERTAIN COUNTIES IN DOMESDAY BOOK.

IN laying before the reader an estimate of the value of lands in twenty-one English counties under William the Conqueror, I ought to mention that the values are, and I think can be, only approximative.

The method of Domesday differs in different counties. In Nor-

folk, Suffolk, and Essex, the accounts are very minute, giving all the live stock, and mentioning two values, one of the old tenant, "tempore Regis Edwardi," T.R.E., the other the actual, T. W. R. In Kent and Sussex four values are not unfrequently given; the real worth of the land, the rate at which it is farmed out, the value when the present tenant took it ("quando receptum"), and the value in the time of king Edward. In the Domesday of Devonshire all but the actual values of the king's demesne are omitted. But neither is the practice uniform in the same county. Very often nothing but the actual value is inserted. Where the practice is to give only two values, as in Essex, I have assumed that the former value was omitted from presenting no variation; though it is possible that in some cases new land may have been taken into occupation. Where more than four values occur I have commonly assumed that the values T. R. E. and "quando receptum" were likely to be identical. Sometimes the context is a slight help, and if the land appeared to have been ravaged at the time of the Conquest, I have rated it conjecturally for T. R. E. at the highest sum mentioned. Fortunately, these latter cases do not often occur.

The values are not always given in pounds, shillings, and pence. The most puzzling exception is the "*firma unius noctis*," where provision had to be made for one night or more. Badwen in Essex rendered eight nights under king Edward, and £17 under the Conqueror (Domesday, vol. ii. f. 21, b). As the land was not diminished, as there were more ploughs and an addition of sheep on the estate, though fewer swine than before, and as estates generally in Essex, and the other property of the owner of Badwen, show augmentation, I have reckoned the two values as identical. In Hampshire three manors, whose given, but I think inadequate, values are £8 0s. 7d. make up a "*firma*" of one day (Domesday, vol. i. f. 39). In Cambridgeshire, Saham, Fordham, and other manors gave three nights' entertainment among a series of small dues which were all commuted for £13 8s. 4d. (Domesday, vol. i. f. 189, b, 190, a). The county of Northampton paid £30, *ad pondus*, for three nights' farm; the county of Oxford £150 (Domesday, vol. i. f. 155, 219). Lastly, in Wiltshire, on the king's demesne, the "*firma unius noctis*" at Chepeham is valued at £110, and that at

Theoduleside at £100 (Domesday, vol. i. f. 65, a, b). I have struck the average at £105 for four manors in this county where no value is given, in estimating the value of crown lands in England (p. 385). But of course such an estimate is of a very speculative kind.

Next, the payments in money are often rated differently. Under Edward the Confessor rents seem to have been paid in tale (ad numerum), and to this I have only noted two apparent exceptions (Domesday, vol. i. f. 109, a, and f. 112, a). The Saxon coinage being very much debased, the Normans, when a rent admitted of being raised, often stipulated that it should be paid in money "burned and weighed," or in "weighed" or "white" money. I have calculated the "burned" money at £1 6s. to the pound, on the authority of the Domesday of Sussex (vol. i. f. 16). "Boseham reddit l. lib. ad arsuram quæ valent lxx. lib." For the white or weighed money Kelham, Madox, and Ellis seem uncertain whether 6d. or 1s. should be taken. It was probably more than 6d. The Domesday of Wiltshire says of Cosseham, "Valet xxx. lib. ad pensum, Angli vero appreciantur ad xxxi. ad numerum." The English were not likely to rate an estate higher than the Normans, and I have therefore taken the pound ad pensum or candidi nummi, as £1 1s. I think, too, the pound "de viginti in orâ," &c. of 12 ores, or ounces, of 20d. each, was perhaps taken by weight, and so worth more than the pound by tale, as they are sometimes contrasted, but in the absence of all authority, I have followed Sir H. Ellis in treating them as identical. Payments were sometimes made in the ounce of gold. The silver penny being then 22½ grains to 8 grains, the twelfth part of an English shilling by estimate (though not by weight), it follows that at the present rate of £3 18s. the ounce of gold would be represented in Norman times by £1 7s. 8½d. or thereabouts. This, however, we know to be too high. Mr. Morgan gives several estimates; one conjectural, but I think sound, from the Domesday of Exeter, valuing it at £1 2s. 6d.; one from 1173, putting it at £1 2s., and one from John's reign, putting it as low as 17s. 6d. The value no doubt fluctuated. I have taken it in some counties at £1 1s., but am inclined now to think that £1 2s. 6d., which I adopted later on, is nearer the truth. Fortunately, it will

make no great difference in the accounts, as it occurs very seldom. The mark was eight ounces. Among payments in kind I have valued the sextar of honey at 1s. 3d. on the authority of the Domesday of Warwick (vol. i. f. 238), which, however, is not decisive, as it implies that there were two measurements. From the Domesday of Cheshire (vol. 1, f. 268) we learn that a load of salt was valued at a shilling. Loads of lead, and payments in herrings, I have been obliged to omit, finding nothing from which their value could be estimated.

The task of making up accounts so complicated as those in Domesday, when it is not always easy to tell whether a parcel of land is included in a manor or is to be taken separately, is in itself no easy one. I found, however, that there was such difference between county and county, and between estates in the same county, that partial estimates were of little use. I took Kent, Sussex, Berkshire, Hertfordshire, and Middlesex as instances of counties that had been ravaged in the first campaign, Surrey as one in the same group that was outside the track of war; Dorsetshire, Devonshire, and Cornwall, as south-western counties; Essex as an eastern county, to see if it confirmed the results for Norfolk, and the other ten, as average specimens of Midland counties.

Of the importance of the omissions in Domesday some idea may be formed by the returns on the Great Roll of the Pipe in the second year of Henry II. The accounts for three-quarters of the year for London show payments of £401 15s. 10d. and money in hand or due to the amount of £237 6s. As this was after the wasteful civil war, we can hardly be wrong in putting the returns under the Conqueror at as much or about £850 a-year.

In the following list the term *Terra Regis* includes all entered in Domesday under that head, and the payments from shires and towns were enumerated. Under the head of *Church Lands* are included the lands of foreign monasteries, but not those of foreign prelates, like Odo of Bayeux or the bishop of Coutances. Under the head of *Baronage* are entered the returns from all other lands, whether made to an earl of Mortaine, or to Gilbert the cook. The returns from Norfolk are taken from Mr. Munford's Domesday of Norfolk. I am in-

debted to the Rev. F. F. Cornish, of Exeter College, Oxford, for an analysis of the five counties marked thus *. The *Terra Regis* of Devonshire can only be given conjecturally for the Confessor's reign, as the Domesday of Devonshire omits the values.

| | T. W. R. | | | T. R. E. | | |
|---------------|----------|----|----|----------|----|----|
| BEDFORDSHIRE. | £ | s. | d. | £ | s. | d. |
| Terra Regis | 175 | 11 | 6 | 152 | 4 | 0 |
| Church Lands | 106 | 3 | 4 | 133 | 12 | 4 |
| Baronage | 814 | 17 | 4 | 1188 | 15 | 4 |
| | <hr/> | | | <hr/> | | |
| | 1096 | 12 | 2 | 1474 | 11 | 8 |

| | T. W. R. | | | T. R. E. | | |
|--------------|----------|----|----|----------|----|----|
| BERKSHIRE. | £ | s. | d. | £ | s. | d. |
| Terra Regis | 814 | 7 | 6 | 763 | 3 | 8 |
| Church Lands | 631 | 5 | 1 | 588 | 7 | 3 |
| Baronage | 938 | 3 | 6 | 1026 | 18 | 6 |
| | <hr/> | | | <hr/> | | |
| | 2383 | 16 | 1 | 2378 | 9 | 5 |
| Returns | 2460 | 16 | 1 | | | |

| | T. W. C. | | | T. R. E. | | |
|-------------------|----------|----|----|----------|----|----|
| *BUCKS. | £ | s. | d. | £ | s. | d. |
| Terra Regis | 265 | 3 | 11 | 96 | 10 | 0 |
| Church Lands, &c. | 198 | 10 | 8 | 196 | 18 | 4 |
| Tenants-in-chief | 1359 | 13 | 2 | 1491 | 17 | 10 |
| | <hr/> | | | <hr/> | | |
| | 1813 | 7 | 9 | 1785 | 6 | 2 |

| | T. W. C. | | | T. R. E. | | |
|------------------|----------|----|----|----------|----|----|
| CORNWALL. | £ | s. | d. | £ | s. | d. |
| Terra Regis | 152 | 11 | 6 | 169 | 2 | 6 |
| Church Lands | 122 | 15 | 10 | 125 | 15 | 10 |
| Tenants-in-chief | 386 | 14 | 0 | 434 | 10 | 1 |
| | <hr/> | | | <hr/> | | |
| | 662 | 1 | 4 | 729 | 8 | 5 |

| DERBYSHIRE. | T. W. R. | | | T. R. E. | | |
|-------------------|----------|----|----|----------|----|-----|
| | £ | s. | d. | £ | s. | d. |
| Terra Regis | 143 | 13 | 0 | 149 | 0 | 0 |
| Church Lands | 34 | 0 | 0 | 48 | 10 | 0 |
| Baronage | 283 | 11 | 0 | 433 | 16 | 0 |
| | <hr/> | | | <hr/> | | |
| | 461 | 4 | 0 | 631 | 6 | 0 |
| | | | | | | |
| DEVONSHIRE. | T. W. R. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| Terra Regis | 1070 | 9 | 4 | 1070 | 9 | 4 |
| Church Lands | 519 | 10 | 4 | 374 | 15 | 4 |
| Baronage | 1630 | 14 | 7 | 1466 | 14 | 6 |
| | <hr/> | | | <hr/> | | |
| | 3220 | 14 | 3 | 2911 | 19 | 2 |
| | | | | | | |
| DORSET. | T. W. C. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| Terra Regis | 418 | 7 | 6 | 407 | 7 | 6 |
| Church Lands | 1030 | 17 | 3 | 1007 | 2 | 3 |
| Tenants-in-chief | 1207 | 4 | 11 | 1149 | 19 | 3 |
| | <hr/> | | | <hr/> | | |
| | 2656 | 9 | 8 | 2564 | 9 | 0 |
| | | | | | | |
| ESSEX. | T. W. C. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| Terra Regis | 496 | 2 | 2 | 409 | 18 | 0 |
| Church Lands | 987 | 6 | 8 | 964 | 11 | 4 |
| Tenants-in-chief | 3301 | 1 | 10 | 2723 | 8 | 11 |
| | <hr/> | | | <hr/> | | |
| | 4784 | 10 | 8 | 4097 | 18 | 3 |
| | | | | | | |
| *GLOUCESTERSHIRE. | T. W. C. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| Terra Regis | 1092 | 3 | 2 | 1062 | 11 | 10½ |
| Church Lands | 594 | 6 | 6 | 545 | 2 | 0 |
| Tenants-in-chief | 1140 | 17 | 0 | 1247 | 15 | 8 |
| | <hr/> | | | <hr/> | | |
| | 2827 | 6 | 8 | 2855 | 9 | 6½ |

| | T. W. C. | | | T. R. E. | | |
|------------------|----------|----|------------------|----------|----|------------------|
| | £ | s. | d. | £ | s. | d. |
| *HERTFORDSHIRE. | | | | | | |
| Terra Regis | 71 | 14 | 4 | 82 | 12 | 0 |
| Church Lands | 535 | 8 | 11 | 623 | 15 | 7 |
| Tenants-in-chief | 934 | 10 | 8 | 1188 | 9 | 5 |
| | <hr/> | | | <hr/> | | |
| | 1541 | 13 | 11 | 1894 | 17 | 0 |
| | <hr/> | | | <hr/> | | |
| | T. W. R. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| HUNTINGDON. | | | | | | |
| Terra Regis | 169 | 10 | 0 | 186 | 0 | 0 |
| Church Lands | 353 | 8 | 0 | 364 | 5 | 0 |
| Baronage | 341 | 17 | 4 | 349 | 10 | 4 |
| | <hr/> | | | <hr/> | | |
| | 864 | 15 | 4 | 899 | 15 | 4 |
| | <hr/> | | | <hr/> | | |
| | T. W. R. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| KENT. | | | | | | |
| Terra Regis | 437 | 10 | 0 | 358 | 0 | 0 |
| Church Lands | 2562 | 6 | 9 $\frac{3}{4}$ | 1730 | 10 | 10 $\frac{3}{4}$ |
| Tenants-in-chief | 2140 | 13 | 1 | 1865 | 0 | 9 |
| | <hr/> | | | <hr/> | | |
| | 5140 | 9 | 10 $\frac{3}{4}$ | 3953 | 11 | 7 $\frac{3}{4}$ |
| Returns | 5717 | 6 | 7 $\frac{3}{4}$ | | | |
| | <hr/> | | | <hr/> | | |
| | T. W. R. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| LEICESTERSHIRE. | | | | | | |
| Terra Regis | 100 | 2 | 8 | 68 | 3 | 8 |
| Church Lands | 59 | 3 | 8 | 38 | 16 | 4 |
| Tenants-in-chief | 576 | 16 | 8 | 384 | 4 | 4 |
| | <hr/> | | | <hr/> | | |
| | 736 | 3 | 0 | 491 | 4 | 4 |
| | <hr/> | | | <hr/> | | |
| | T. W. R. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| MIDDLESEX. | | | | | | |
| Terra Regis | 1 | 7 | 8 $\frac{1}{2}$ | 1 | 7 | 8 $\frac{1}{2}$ |
| Church Lands | 357 | 5 | 0 | 434 | 10 | 0 |
| Tenants-in-chief | 395 | 15 | 0 | 474 | 17 | 10 |
| | <hr/> | | | <hr/> | | |
| | 754 | 7 | 8 $\frac{1}{2}$ | 910 | 15 | 6 $\frac{1}{2}$ |

| | T. W. R. | | | T. R. E. | | |
|-------------------|----------|----|----|----------|----|----|
| | £ | s. | d. | £ | s. | d. |
| NORFOLK. | | | | | | |
| Terra Regis | 1324 | 13 | 3 | 659 | 11 | 0 |
| Church Lands | 715 | 5 | 6 | 442 | 7 | 5 |
| Tenants-in-chief | 2114 | 12 | 10 | 1117 | 4 | 6 |
| | 4154 | 11 | 7 | 2219 | 2 | 11 |
| | | | | | | |
| | T. W. R. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| NORTHAMPTONSHIRE. | | | | | | |
| Terra Regis | 616 | 12 | 8 | 581 | 16 | 1 |
| Church Lands | 296 | 12 | 2 | 149 | 6 | 4 |
| Tenants-in-chief | 929 | 15 | 9 | 676 | 0 | 11 |
| | 1843 | 0 | 7 | 1407 | 3 | 4 |
| | | | | | | |
| | T. W. R. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| *OXFORDSHIRE. | | | | | | |
| Terra Regis | 896 | 15 | 3 | 851 | 6 | 9 |
| Church Lands | 548 | 18 | 2 | 415 | 17 | 8 |
| Tenants-in-chief | 1796 | 9 | 6 | 1522 | 11 | 0 |
| | 3242 | 2 | 11 | 2789 | 15 | 5 |
| | | | | | | |
| | T. W. R. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| *SURREY. | | | | | | |
| †Terra Regis | 251 | 0 | 3 | 236 | 0 | 3 |
| Church Lands | 532 | 14 | 2 | 492 | 4 | 6 |
| Baronage | 740 | 10 | 4 | 688 | 19 | 4 |
| | 1524 | 4 | 9 | 1417 | 4 | 1 |
| | | | | | | |
| | T. W. R. | | | T. R. E. | | |
| | £ | s. | d. | £ | s. | d. |
| SUSSEX. | | | | | | |
| Terra Regis | 52 | 0 | 0 | 56 | 0 | 0 |
| Church Lands | 721 | 3 | 0 | 853 | 2 | 7 |
| Tenants-in-chief | 2482 | 4 | 4 | 2557 | 19 | 5 |
| | 3255 | 7 | 4 | 3467 | 2 | 0 |
| Returns | 3436 | 12 | 0 | | | |

† Reddit £298 13s.

| WARWICKSHIRE. | T. W. R. | | | T. R. E. | | |
|----------------|----------|----|----|----------|----|----|
| | £ | s. | d. | £ | s. | d. |
| Terra Regis | 191 | 0 | 0 | 89 | 8 | 0 |
| Church Lands | 205 | 12 | 0 | 137 | 10 | 0 |
| Tenants-in-fee | 963 | 1 | 8 | 726 | 17 | 8 |
| | <hr/> | | | <hr/> | | |
| | 1359 | 13 | 8 | 953 | 15 | 8 |

| WORCESTERSHIRE. | T. W. R. | | | T. R. E. | | |
|-----------------|----------|----|----|----------|----|----|
| | £ | s. | d. | £ | s. | d. |
| Terra Regis | 129 | 5 | 0 | 134 | 18 | 0 |
| Church Lands | 645 | 11 | 2 | 671 | 19 | 4 |
| Baronage | 216 | 4 | 4 | 253 | 5 | 4 |
| | <hr/> | | | <hr/> | | |
| | 991 | 0 | 6 | 1060 | 2 | 8 |

| TOTAL. | T. W. R. | | | T. R. E. | | |
|--------------|----------|----|----|----------|----|----|
| | £ | s. | d. | £ | s. | d. |
| Terra Regis | 9900 | 12 | 7½ | 9363 | 5 | 4½ |
| Church Lands | 14,703 | 4 | 6 | 13,176 | 1 | 0¾ |
| Baronage | 25,054 | 1 | 6½ | 23,204 | 14 | 9 |
| | <hr/> | | | <hr/> | | |
| | 49,657 | 18 | 8 | 45,744 | 1 | 2½ |

It will be observed that twelve counties in twenty-one exhibit increase. The falling off in Sussex may be referred entirely to Boseham, a manor of bishop Osbern's, which was worth £300 under the Confessor, and only £29 5s. under the Conqueror, though it was farmed at £32 15s. Forty-seven hides had been alienated, which I have failed in tracing, though the new owners are mentioned. In Cornwall I believe the value assigned to the Terra Regis T. R. E. to be excessive. The entries are frequently of this sort "reddit vii. lib. ad pondus," the former value not being given, but having probably been the same number of pounds by tale. The same observation applies to Devonshire. On the whole, therefore, I think the accounts are less favourable to the Conqueror than they would be if they were fuller. Lastly, I would just notice an entry

which I think makes it probable that the increased rental was in some cases due to stricter supervision; e.g. "In Salemanesberie Hundredo, tenuit Edwardus Rex Sclostre, de hoc manerio reddebat quod volebat vice-comes." T. R. E., Domesday, vol. i. f. 163, b.

As the analysis of Middlesex given by Sir H. Ellis in the Introduction to Domesday, vol. i. p. vii, makes the value T. R. E. £932 8s. 10d., instead of £910 15s. 6½d., I will just notice that the difference appears to be due to a clerical error, Ernulf de Hesding's lands being put at £56 instead of at £36 in Sir Henry's summary. With this correction our results are substantially the same.

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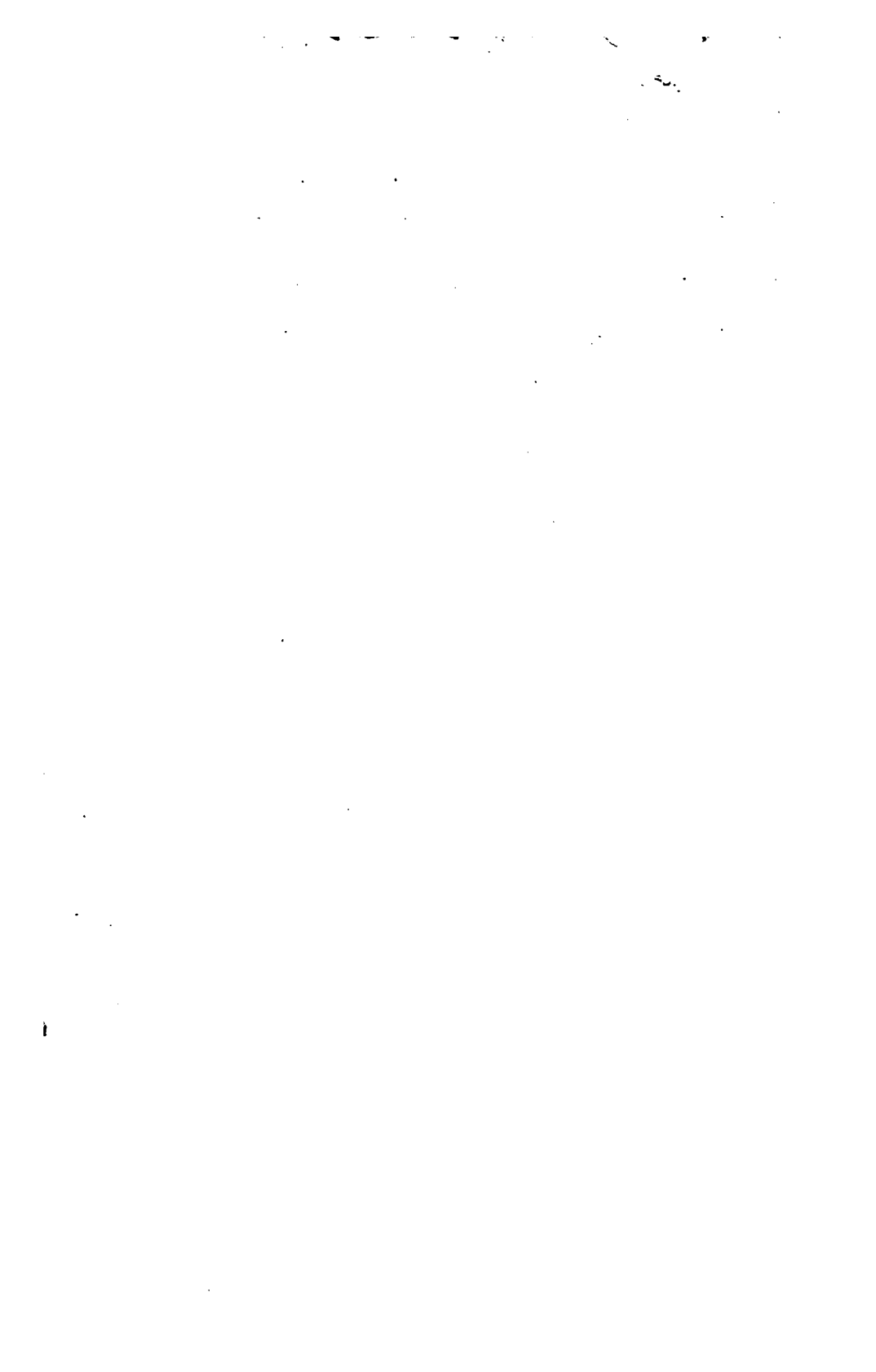
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